CONDITIONS OF PEACE WITH AUSTRIA

1919

CARL G. MALMBERG

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1st Session

SENATE

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No. 92

CONDITIONS OF PEACE WITH AUSTRIA

TREATY OF PEACE

BETWEEN

THE PRINCIPAL ALLIED AND ASSOCIATED POWERS

AND

AUSTRIA

PRESENTED BY MR. LODGE

SEPTEMBER 15, 1919.—Ordered to be printed

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TREATY OF PEACE BETWEEN THE PRINCIPAL ALLIED AND ASSOCIATED POWERS AND AUSTRIA.

The United States of America, the British Empire, France, Italy and Japan,

These Powers being described in the present Treaty as the Principal Allied and Associated Powers;

Belgium, Bolivia, Brazil, China, Cuba, Ecuador, Greece, Guatemala, Haiti, the Hedjaz, Honduras, Liberia, Nicaragua, Panama, Peru, Poland, Portugal, Roumania, the Serb-Croat-Slovene State, Siam, Czecho-Slovakia and Uruguay,

These Powers constituting, with the Principal Powers mentioned above, the Allied and Associated Powers, of the one part;

And Austria, of the other part;

Whereas on the request of the former Imperial and Royal Austro-Hungarian Government an Armistice was granted to Austria-Hungary on November 3, 1918, by the Principal Allied and Associated Powers in order that a Treaty of Peace might be concluded, and

Whereas the Allied and Associated Powers are equally desirous that the war in which certain among them were successively involved, directly or indirectly, against Austria-Hungary, and which originated in the declaration of war against Serbia on July 28, 1914, by the former Imperial and Royal Austro-Hungarian Government, and in the hostilities conducted by Germany in alliance with Austria-Hungary, should be replaced by a firm, just and durable Peace, and

Whereas the former Austro-Hungarian Monarchy has now ceased to exist, and has been replaced in Austria by a republican government, and

Whereas the Principal Allied and Associated Powers have already recognized that the Czecho-Slovak State, in which are incorporated certain portions of the said Monarchy, is a free, independent and allied State, and

Whereas the said Powers have also recognized the union of certain portions of the said Monarchy with the territory of the Kingdom of Serbia as a free, independent and allied State, under the name of the Serb-Croat-Slovene State, and

Whereas it is necessary, while restoring peace, to regulate the situation which has arisen from the dissolution of the said Monarchy and the formation of the said States, and to establish the government of these countries on a firm foundation of justice and equity;

For this purpose the high contracting parties represented as follows:

The President of the United States of America, by:

The Honourable Frank Lyon Polk, Under Secretary of State;

The Honourable Henry White, formerly Ambassador Extraordinary and Plenipotentiary of the United States at Rome and Paris;

General Tasker H. Bliss, Military Representative of the United States on the Supreme War Council;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions Beyond the Seas, Emperor of India, by:

The Right Honourable David Lloyd George, M. P., First Lord of His Treasury and Prime Minister;

The Right Honourable Arthur James Balfour, O. M., M. P., His Secretary of State for Foreign Affairs;

The Right Honourable Andrew Bonar Law, M. P., His Lord Privy Seal;

The Right Honourable Viscount Milner, G. C. B., G. C. M. G., His Secretary of State for the Colonies;

The Right Honourable George Nicoll Barnes, M. P., Minister without portfolio;

And

for the Dominion of Canada, by:

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for the Commonwealth of Australia, by:

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for the Union of South Africa, by:

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for the Dominion of New Zealand, by:

——— ———

for India, by:

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The President of the French Republic, by:

Mr. Georges Clemenceau, President of the Council, Minister of War;

Mr. Stephen Pichon, Minister for Foreign Affairs;

Mr. Louis-Lucien Klotz, Minister of Finance;

Mr. André Tardieu, Commissary General for Franco-American Military Affairs;

Mr. Jules Cambon, Ambassador of France.

His Majesty the King of Italy, by:

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Mr. S. Crespi, Deputy;

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His Majesty The Emperor of Japan, by:

Viscount Chinda, Ambassador Extrordinary and Plenipotentiary of H. M. the Emperor of Japan at London;

Mr. K. Matsui, Ambassador Extraordinary and Plenipotentiary of H. M. the Emperor of Japan at Paris;

Mr. H. Ijuin, Ambassador Extraordinary and Plenipotentiary of H. M. the Emperor of Japan at Rome;

His Majesty the King of the Belgians, by:

Mr. Paul Hymans, Minister for Foreign Affairs, Minister of State;

Mr. Jules van den Heuvel, Envoy Extraordinary and Minister Plenipotentiary, Minister of State;

Mr. Emile Vandervelde, Minister of Justice, Minister of State;

The President of the Republic of Bolivia, by:

Mr. Ismael Montes, Envoy Extraordinary and Minister Plenipotentiary of Bolivia at Paris;

The President of the Republic of Brazil, by:

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Mr. Pandià Calogeras, Deputy, formerly Minister of Finance;

The President of the Chinese Republic, by:

Mr. Lou Tseng-Tsiang, Minister for Foreign Affairs;

Mr. Chengting Thomas Wang, formerly Minister of Agriculture and Commerce;

The President of the Cuban Republic, by:

Mr. Antonio Sanchez de Bustamante, Dean of the Faculty of Law in the University of Havana, President of the Cuban Society of International Law;

The President of the Republic of Ecuador, by:

Mr. Dorn y de Alsúa, Envoy Extraordinary and Minister Plenipotentiary of Ecuador at Paris;

His Majesty the King of the Hellenes, by:

Mr. Eleftherios Venisélos, President of the Council of Ministers;

Mr. Nicolas Politis, Minister for Foreign Affairs;

The President of the Republic of Guatemala, by:

Mr. Joaquim Méndez, formerly Minister of State for Public Works and Public Instruction; Envoy Extraordinary and Minister Plenipotentiary of Guatemala at Washington, Envoy Extraordinary and Minister Plenipotentiary on special mission at Paris;

The President of the Republic of Haiti, by:

Mr. Tertullien Guilbaud, Envoy Extraordinary and Minister Plenipotentiary of Haiti at Paris;

His Majesty the King of the Hedjaz, by:

Mr. Rustem Haïdar;

Mr. Abdul Hadi Aouni;

The President of the Republic of Honduras, by:

The President of the Republic of Liberia, by:

The Honourable Charles Dunbar Burgess King, Secretary of State;

The President of the Republic of Nicaragua, by:

Mr. Salvador Chamorro, President of the Chamber of Deputies;

The President of the Republic of Panama, by:

Mr. Antonio Burgos, Envoy Extraordinary and Minister Plenipotentiary of Panama at Madrid;

The President of the Republic of Peru, by:

Mr. Carlos G. Candamo, Envoy Extraordinary and Minister Plenipotentiary of Peru at Paris;

The President of the Polish Republic, by:

Mr. Ignace Paderewski, President of the Council of Ministers, Minister for Foreign Affairs;

Mr. Roman Dmowski, President of the Polish National Committee;

The President of the Portuguese Republic, by:

Dr. Affonso Costa, formerly President of the Council of Ministers;

Mr. Augusto Soares, formerly Minister for Foreign Affairs;

His Majesty the King of Roumania, by:

Mr. Ion I. C. Bratiano, President of the Council of Ministers, Minister for Foreign Affairs;

General Constantin Coanda, Corps Commander, A. D. C. to the King, formerly President of the Council of Ministers;

His Majesty, the King of the Serbs, the Croats, and the Slovenes, by:

Mr. Nicolas P. Pachitch, formerly President of the Council of Ministers;

Mr. Ante Trumbic, Minister for Foreign Affairs;

Mr. Milenko Vesnitch, Envoy Extraordinary and Minister Plenipotentiary of H. M. the King of Serbs, the Croats, and the Slovenes at Paris;

His Majesty, the King of Siam, by:

Prince Charoon, Envoy Extraordinary and Minister Plenipotentiary of H. M. the King of Siam at Paris;

Prince Traidos Prabandhu, Under Secretary of State for Foreign Affairs;

The President of the Czecho-Slovak Republic, by:

Mr. Karel Kramar, President of the Council of Ministers;

Mr. Edouard Benes, Minister for Foreign Affairs;

The President of the Republic of Uruguay, by:

Mr. Juan Antonio Buero, Minister for Foreign Affairs, formerly Minister of Industry;

Austria, by:

Mr. Charles Renner, Chancellor of the Austrian Republic.

Who, having communicated their full powers, found in good and due form, have agreed as follows:

From the coming into force of the present Treaty the state of war will terminate.

Austria is recognized under the name of the "Republic of Austria."

From that moment, and subject to the provisions of this Treaty, official relations will exist between the Allied and Associated Powers and the Republic of Austria.

PART I.

The Covenant of the League of Nations.

The High Contracting Parties,

In order to promote international co-operation and to achieve international peace and security

by the acceptance of obligations not to resort to war,

by the prescription of open, just and honourable relations between nations,

by the firm establishment of the understandings of international law as the actual rule of conduct among Governments, and

by the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organised peoples with one another,

Agree to this Covenant of the League of Nations.

Article 1.

The original Members of the League of Nations shall be those of the Signatories which are named in the Annex to this Covenant and also such of those other States named in the Annex as shall accede without reservation to this Covenant. Such accession shall be effected by a Declaration deposited with the Secretariat within two months of the coming into force of the Covenant. Notice thereof shall be sent to all other Members of the League.

Any fully self-governing State, Dominion or Colony not named in the Annex may become a Member of the League if its admission is agreed to by two-thirds of the Assembly, provided that it shall give effected guarantees of its sincere intention to observe its international obligations, and shall accept such regulations as may be prescribed by the League in regard to its military, naval and air forces and armaments.

Any Member of the League may, after two years' notice of its intention so to do, withdraw from the League, provided that all its international obligations and all its obligations under this Covenant shall have been fulfilled at the time of its withdrawal.

ARTICLE 2.

The action of the League under this Covenant shall be effected through the instrumentality of an Assembly and of a Council, with a permanent Secretariat.

ARTICLE 3.

The Assembly shall consist of Representatives of the Members of the League.

The Assembly shall meet at stated intervals and from time to time as occasion may require at the Seat of the League or at such other place as may be decided upon.

The Assembly may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

At meetings of the Assembly each Member of the League shall have one vote, and may have not more than three Representatives.

ARTICLE 4.

The Council shall consist of Representatives of the Principal Allied and Associated Powers, together with Representatives of four other Members of the League. These four Members of the League shall be selected by the Assembly from time to time in its discretion. Until the appointment of the Representatives of the four Members of the League first selected by the Assembly, Representatives of Belgium, Brazil, Spain and Greece shall be members of the Council.

With the approval of the majority of the Assembly, the Council may name additional Members of the League whose Representatives shall always be members of the Council; the Council with like approval may increase the number of Members of the League to be selected by the Assembly for representation on the Council.

The Council shall meet from time to time as occasion may require, and at least once a year, at the Seat of the League, or at such other place as may be decided upon.

The Council may deal at its meetings with any matter within the sphere of action of the League or affecting the peace of the world.

Any Member of the League not represented on the Council shall be invited to send a Representative to sit as a member at any meeting of the Council during the consideration of matters specially affecting the interests of that Member of the League.

At meetings of the Council, each Member of the League represented on the Council shall have one vote, and may have not more than one Representative.

Article 5.

Except where otherwise expressly provided in this Covenant or by the terms of the present Treaty, decisions at any meeting of the Assembly or of the Council shall require the agreement of all the Members of the League represented at the meeting.

All matters of procedure at meetings of the Assembly or of the Council, including the appointment of Committees to investigate particular matters, shall be regulated by the Assembly or by the Council and may be decided by a majority of the Members of the League represented at the meeting.

The first meeting of the Assembly and the first meeting of the Council shall be summoned by the President of the United States of America.

Article 6.

The permanent Secretariat shall be established at the Seat of the League. The Secretariat shall comprise a Secretary General and such secretaries and staff as may be required.

The first Secretary General shall be the person named in the Annex; thereafter the Secretary General shall be appointed by the Council with the approval of the majority of the Assembly.

The secretaries and staff of the Secretariat shall be appointed by the Secretary General with the approval of the Council.

The Secretary General shall act in that capacity at all meetings of the Assembly and of the Council.

The expenses of the Secretariat shall be borne by the Members of the League in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

Article 7.

The Seat of the League is established at Geneva.

The Council may at any time decide that the Seat of the League shall be established elsewhere.

All positions under or in connection with the League, including the Secretariat, shall be open equally to men and women.

Representatives of the Members of the League and officials of the League when engaged on the business of the League shall enjoy diplomatic privileges and immunities.

The buildings and other property occupied by the League or its officials or by Representatives attending its meetings shall be inviolable.

Article 8.

The Members of the League recognise that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.

The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for the consideration and action of the several Governments.

Such plans shall be subject to reconsideration and revision at least every ten years.

After these plans shall have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council.

The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.

The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval and air programmes and the condition of such of their industries as are adaptable to war-like purposes.

ARTICLE 9.

A permanent Commission shall be constituted to advise the Council on the execution of the provisions of Articles 1 and 8 and on military, naval and air questions generally.

ARTICLE 10.

The Members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all Members of the League. In case of any such aggression or in case of any threat or danger of such aggression the Council shall advise upon the means by which this obligation shall be fulfilled.

ARTICLE 11.

Any war or threat of war, whether immediately affecting any of the Members of the League or not, is hereby declared a matter of concern to the whole League, and the League shall take any action that may be deemed wise and effectual to safeguard the peace of nations. In case any such emergency should arise the Secretary General shall on the request of any Member of the League forthwith summon a meeting of the Council.

It is also declared to be the friendly right of each Member of the League to bring to the attention of the Assembly or of the Council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends.

ARTICLE 12.

The Members of the League agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the Council.

In any case under this Article the award of the arbitrators shall be made within a reasonable time, and the report of the Council shall be made within six months after the submission of the dispute.

ARTICLE 13.

The Members of the League agree that whenever any dispute shall arise between them which they recognise to be suitable for submission to arbitration and which cannot be satisfactorily settled by diplomacy, they will submit the whole subject-matter to arbitration.

Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which if established would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach, are declared to be among those which are generally suitable for submission to arbitration.

For the consideration of any such dispute the court of arbitration to which the case is referred shall be the court agreed on by the parties to the dispute or stipulated in any convention existing between them.

The Members of the League agree that they will carry out in full good faith any award that may be rendered, and that they will not resort to war against a Member of the League which complies therewith. In the event of any failure to carry out such an award, the Council shall propose what steps should be taken to give effect thereto.

ARTICLE 14.

The Council shall formulate and submit to the Members of the League for adoption plans for the establishment of a Permanent Court of International Justice. The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it. The Court may also give an advisory opinion upon any dispute or question referred to it by the Council or by the Assembly.

ARTICLE 15.

If there should arise between Members of the League any dispute likely to lead to a rupture, which is not submitted to arbitration in accordance with

Article 13, the Members of the League agree that they will submit the matter to the Council. Any party to the dispute may effect such submission by giving notice of the existence of the dispute to the Secretary General, who will make all necessary arrangements for a full investigation and consideration thereof.

For this purpose the parties to the dispute will communicate to the Secretary General, as promptly as possible, statements of their case with all the relevant facts and papers, and the Council may forthwith direct the publication thereof.

The Council shall endeavour to effect a settlement of the dispute, and if such efforts are successful, a statement shall be made public giving such facts and explanations regarding the dispute and the terms of settlement thereof as the Council may deem appropriate.

If the dispute is not thus settled, the Council either unanimously or by a majority vote shall make and publish a report containing a statement of the facts of the dispute and the recommendations which are deemed just and proper in regard thereto.

Any Member of the League represented on the Council may make public a statement of the facts of the dispute and of its conclusions regarding the same.

If a report by the Council is unanimously agreed to by the members thereof other than the Representatives of one or more of the parties to the dispute, the Members of the League agree that they will not go to war with any party to the dispute which complies with the recommendations of the report.

If the Council fails to reach a report which is unanimously agreed to by the members thereof, other than the Representatives of one or more of the parties to the dispute, the Members of the League reserve to themselves the right to take such action as they shall consider necessary for the maintenance of right and justice.

If the dispute between the parties is claimed by one of them, and is found by the Council, to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the Council shall so report, and shall make no recommendation as to its settlement.

The Council may in any case under this Article refer the dispute to the Assembly. The dispute shall be so referred at the request of either party to

the dispute, provided that such request be made within fourteen days after the submission of the dispute to the Council.

In any case referred to the Assembly, all the provisions of this Article and of Article 12 relating to the action and powers of the Council shall apply to the action and powers of the Assembly, provided that a report made by the Assembly, if concurred in by the Representatives of those Members of the League represented on the Council and of a majority of the other Members of the League, exclusive in each case of the Representatives of the parties to the dispute, shall have the same force as a report by the Council concurred in by all the members thereof other than the Representatives of one or more of the parties to the dispute.

ARTICLE 16.

Should any Member of the League resort to war in disregard of its covenants under Articles 12, 13 or 15, it shall *ipso facto* be deemed to have committed an act of war against all other Members of the League, which hereby undertake immediately to subject it to the severance of all trade or financial relations, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking State, and the prevention of all financial, commercial or personal intercourse between the nationals of the covenant-breaking State and the nationals of any other State, whether a Member of the League or not.

It shall be the duty of the Council in such case to recommend to the several Governments concerned what effective military, naval or air force the Members of the League shall severally contribute to the armed forces to be used to protect the covenants of the League.

The Members of the League agree, further, that they will mutually support one another in the financial and economic measures which are taken under this Article, in order to minimise the loss and inconvenience resulting from the above measures, and that they will mutually support one another in resisting any special measures aimed at one of their number by the covenant-breaking State, and that they will take the necessary steps to afford passage through their territory to the forces of any of the Members of the League which are co-operating to protect the covenants of the League.

Any Member of the League which has violated any covenant of the League may be declared to be no longer a Member of the League by a vote of the Council

concurred in by the Representatives of all the other Members of the League represented thereon.

ARTICLE 17.

In the event of a dispute between a Member of the League and a State which is not a Member of the League, or between States not Members of the League, the State or States not Members of the League shall be invited to accept the obligations of membership in the League for the purposes of such dispute, upon such conditions as the Council may deem just. If such invitation is accepted, the provisions of Articles 12 to 16 inclusive shall be applied with such modifications as may be deemed necessary by the Council.

Upon such invitation being given the Council shall immediately institute an inquiry into the circumstances of the dispute and recommend such action as may seem best and most effectual in the circumstances.

If a State so invited shall refuse to accept the obligations of membership in the League for the purposes of such dispute, and shall resort to war against a Member of the League, the provisions of Article 16 shall be applicable as against the State taking such action.

If both parties to the dispute when so invited refuse to accept the obligations of membership in the League for the purposes of such dispute, the Council may take such measures and make such recommendations as will prevent hostilities and will result in the settlement of the dispute.

ARTICLE 18.

Every treaty or international engagement entered into hereafter by any Member of the League shall be forthwith registered with the Secretariat and shall as soon as possible be published by it. No such treaty or international engagement shall be binding until so registered.

ARTICLE 19.

The Assembly may from time to time advise the reconsideration by Members of the League of treaties which have become inapplicable and the consideration of international conditions whose continuance might endanger the peace of the world.

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ARTICLE 20.

The Members of the League severally agree that this Covenant is accepted as abrogating all obligations or understandings *inter se* which are inconsistent with the terms thereof, and solemnly undertake that they will not hereafter enter into any engagements inconsistent with the terms thereof.

In case any Member of the League shall, before becoming a Member of the League, have undertaken any obligations inconsistent with the terms of this Covenant, it shall be the duty of such Member to take immediate steps to procure its release from such obligations.

ARTICLE 21.

Nothing in this Covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace.

ARTICLE 22.

To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them and which are inhabited by peoples not yet able to stand by themselves under the strenuous conditions of the modern world, there should be applied the principle that the well-being and development of such peoples form a sacred trust of civilisation and that securities for the performance of this trust should be embodied in this Covenant.

The best method of giving practical effect to this principle is that the tutelage of such peoples should be entrusted to advanced nations who by reason of their resources, their experience or their geographical position can best undertake this responsibility, and who are willing to accept it, and that this tutelage should be exercised by them as Mandatories on behalf of the League.

The character of the mandate must differ according to the stage of the development of the people, the geographical situation of the territory, its economic conditions and other similar circumstances.

Certain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognised subject to the rendering of administrative

advice and assistance by a Mandatory until such time as they are able to stand alone. The wishes of these communities must be a principal consideration in the selection of the Mandatory.

Other peoples, especially those of Central Africa, are at such a stage that the Mandatory must be responsible for the administration of the territory under conditions which will guarantee freedom of conscience and religion, subject only to the maintenance of public order and morals, the prohibition of abuses such as the slave trade, the arms traffic and the liquor traffic, and the prevention of the establishment of fortifications or military and naval bases and of military training of the natives for other than police purposes and the defence of territory, and will also secure equal opportunities for the trade and commerce of other Members of the League.

There are territories, such as South-West Africa and certain of the South Pacific Islands, which, owing to the sparseness of their population, or their small size, or their remoteness from the centres of civilisation, or their geographical contiguity to the territory of the Mandatory, and other circumstances, can be best administered under the laws of the Mandatory as integral portions of its territory, subject to the safeguards above mentioned in the interests of the indigenous population.

In every case of mandate, the Mandatory shall render to the Council an annual report in reference to the territory committed to its charge.

The degree of authority, control, or administration to be exercised by the Mandatory shall, if not previously agreed upon by the Members of the League, be explicitly defined in each case by the Council.

A permanent Commission shall be constituted to receive and examine the annual reports of the Mandatories and to advise the Council on all matters relating to the observance of the mandates.

ARTICLE 23.

Subject to and in accordance with the provisions of international conventions existing or hereafter to be agreed upon, the Members of the League:

(*a*) will endeavour to secure and maintain fair and humane conditions of labour for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend, and for

that purpose will establish and maintain the necessary international organisations;

(*b*) undertake to secure just treatment of the native inhabitants of territories under their control;

(*c*) will entrust the League with the general supervision over the execution of agreements with regard to the traffic in women and children, and the traffic in opium and other dangerous drugs;

(*d*) will entrust the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest;

(*e*) will make provision to secure and maintain freedom of communications and of transit and equitable treatment for the commerce of all Members of the League. In this connection, the special necessities of the regions devastated during the war of 1914–1918 shall be borne in mind;

(*f*) will endeavour to take steps in matters of international concern for the prevention and control of disease.

ARTICLE 24.

There shall be placed under the direction of the League all international bureaux already established by general treaties if the parties to such treaties consent. All such international bureaux and all commissions for the regulation of matters of international interest hereafter constituted shall be placed under the direction of the League.

In all matters of international interest which are regulated by general conventions but which are not placed under the control of international bureaux or commissions, the Secretariat of the League shall, subject to the consent of the Council and if desired by the parties, collect and distribute all relevant information and shall render any other assistance which may be necessary or desirable.

The Council may include as part of the expenses of the Secretariat the expenses of any bureau or commission which is placed under the direction of the League.

ARTICLE 25.

The Members of the League agree to encourage and promote the establishment and co-operation of duly authorised voluntary national Red Cross organ-

isations having as purposes the improvement of health, the prevention of disease and the mitigation of suffering throughout the world.

ARTICLE 26.

Amendments to this Covenant will take effect when ratified by the Members of the League whose Representatives compose the Council and by a majority of the Members of the League whose Representatives compose the Assembly.

No such amendment shall bind any Member of the League which signified its dissent therefrom, but in that case it shall cease to be a Member of the League.

ANNEX.

I. ORIGINAL MEMBERS OF THE LEAGUE OF NATIONS SIGNATORIES OF THE TREATY OF PEACE.

UNITED STATES OF AMERICA.
BELGIUM.
BOLIVIA.
BRAZIL.
BRITISH EMPIRE.
CANADA.
AUSTRALIA.
SOUTH AFRICA.
NEW ZEALAND.
INDIA.
CHINA.
CUBA.
ECUADOR.
FRANCE.
GREECE.
GUATEMALA.
HAITI.
HEDJAZ.
HONDURAS.
ITALY.
JAPAN.
LIBERIA.
NICARAGUA.
PANAMA.
PERU.
POLAND.
PORTUGAL.
ROUMANIA.
SERB - CROAT - SLOVENE STATE.
SIAM.
CZECHO-SLOVAKIA.
URUGUAY.

STATES INVITED TO ACCEDE TO THE COVENANT.

ARGENTINE REPUBLIC.
CHILI.
COLOMBIA.
DENMARK.
NETHERLANDS.
NORWAY.
PARAGUAY.
PERSIA.
SALVADOR.
SPAIN.
SWEDEN.
SWITZERLAND.
VENEZUELA.

II. FIRST SECRETARY GENERAL OF THE LEAGUE OF NATIONS.

The Honourable Sir James Eric DRUMMOND, K. C. M. G., C. B.

PART II.

FRONTIERS OF AUSTRIA.

ARTICLE 27.

The frontiers of Austria shall be fixed as follows (see Map):

1. *With Switzerland and Lichtenstein:*

the present frontier.

2. *With Italy:*

From the point 2645 (Gruben J.) eastwards to point 2915 (Klopaier Spitz),

a line to be fixed on the ground passing through point 1483 on the Reschen-Nauders road;

thence eastwards to the summit of Dreiherrn Spitz (point 3505),

the watershed between the basins of the Inn to the north and the Adige to the south;

thence south-south-eastwards to point 2545 (Marchkinkele),

the watershed between the basins of the Drave to the east and the Adige to the west;

thence south-eastwards to point 2483 (Helm Spitz)

a line to be fixed on the ground crossing the Drave between Winnbach and Arnbach;

thence east-south-eastwards to point 2050 (Osternig) about 9 kilometres northwest of Tarvis,

the watershed between the basins of the Drave on the north and successively the basins of the Sextenbach, the Piave and the Tagliamento on the south;

thence east-south-eastwards to point 1492 (about 2 kilometres west of Thörl),

the watershed between the Gail and the Gailitz;

thence eastwards to point 1509 (Pec),

a line to be fixed on the ground cutting the Galitz south of the town and station of Thörl and passing by point 1270 (Cabin Berg).

3. *On the South, and then with the Klagenfurt area,* subject to the provisions of Section II of Part III (Political Clauses for Europe):

from point 1509 (Pec) eastwards to point 1817 (Malestiger),

the crest of the Karavanken;

from point 1817 (Malestiger) and in a north-easterly direction as far as the Drave at a point situated about 1 kilometre south-east of the railway bridge on the eastern branch of the bend made by that river about 6 kilometres east of Villach,

a line to be fixed on the ground cutting the railway between Mallestig and Faak and passing through point 666 (Polana);

thence in a south-easterly direction to a point about 2 kilometres above St. Martin,

the course of the Drave;

thence in a northerly direction as far as point 871, about 10 kilometres to the east-north-east of Villach,

a line running approximately from south to north to be fixed on the ground;

thence east-north-eastwards to a point to be chosen near point 725 about 10 kilometres north-west of Klagenfurt on the administrative boundary between the districts of St. Veit and Klagenfurt,

a line to be fixed on the ground passing through points 1069 (Taubenbühel), 1045 (Gallinberg) and 815 (Freudenberg);

thence eastwards to a point to be chosen on the ground west of point 1075 (Steinbruch Kogel),

the administrative boundary between the districts of St. Veit and Klagenfurt;

thence north-eastwards to the point on the Gurk where the administrative boundary of the district of Völkermarkt leaves this river,

a line to be fixed on the ground passing through point 1076;

thence north-eastwards to point 1899 (Speikkogl),

the administrative boundary between the districts of St. Veit and Völkermarkt;

thence south-eastwards to point 842 (1 kilometre west of Kasparstein),

the north-eastern boundary of the district of Völkermarkt;

thence eastwards to point 1522 (Hühner Kogel),

a line to be fixed on the ground passing north of Lavamünd.

4. *With the Serb-Croat-Slovene State*, subject to the provisions of Section II of Part III (Political Clauses for Europe):

From point 1522 (Hühner Kogel) eastwards to point 917 (St. Lorenzen),

a line to be fixed on the ground passing through point 1330;

thence eastwards to the point where it meets the administrative boundary between the districts of Marburg and Leibnitz,

the watershed between the basins of the Drave to the south and the Saggau to the north;

thence north-eastwards to the point where this administrative boundary meets the Mur,

the above-mentioned administrative boundary;

thence to the point where it meets the old frontier of 1867 between Austria and Hungary 5 kilometres south-east of Radkersburg,

the principal course of the Mur downstream;

thence northwards to a point to be fixed east of point 400 about 16 kilometres north of Radkersburg,

the old frontier of 1867 between Austria and Hungary;

thence north-eastwards to a point to be fixed on the watershed between the basins of the Raab and the Mur about 2 kilometres east of Toka,

a line to be fixed on the ground, passing between the villages of Bonisfalva and Gedoudvar.

This point is the point common to the three frontiers of Austria, Hungary and the Serb-Croat-Slovene State.

5. *With Hungary:*

From the point above defined north-eastwards to point 353 about 6 kilometres north-north-east of Szentgotthard,

a line to be fixed on the ground passing through point 353 (Janke B.), then west of the Radkersburg-Szentgotthard road and east of the villages of Nagyfalva, Nemetlak and Rabakeresztur;

thence in a general north-easterly direction to point 234 about 7 kilometres north-north-east of Pinka-Mindszent.

a line to be fixed on the ground passing through point 323 (Hochkogel), then south of the villages of Zsamand, Nemetbükkös and Karacsfa, and between Nagysaroslak and Pinka-Mindszent;

thence northwards to point 883 (Trött Kö) about 9 kilometres south-west of Köszeg,

a line to be fixed on the ground passing through points 241, 260 and 273, then east of Nagynarda and Rohoncz and west of Dozmat and Butsching;

thence north-eastwards to point 265 (Kamenje) about 2 kilometres south-east of Nikitsch,

a line to be fixed on the ground, passing south-east of Liebing, Olmod and Locsmand, and north-west of Köszeg and the road from Köszeg to Salamonfa;

thence northwards to a point to be selected on the southern shore of Neusiedler See between Holling and Hidegseg,

a line to be fixed on the ground, passing east of Nikitsch and Zinkendorf and west of Kövesd and Nemet-Pereszteg;

thence eastwards to point 115 situated about 8 kilometres south-west of St. Johann,

a line to be fixed on the ground, crossing the Neusiedler See, passing south of the island containing point 117, leaving in Hungary the branch railway running north-westwards from the station of Mexiko as well as the entire Einser canal, and passing south of Pamhagen;

thence northwards to a point to be selected about 1 kilometre west of Antonienhof (east of Kittsee), this point being the point common to the three frontiers of Austria, Hungary and the Czecho-Slovak State,

a line to be fixed on the ground, leaving entirely in Hungarian territory the Csorna-Karlburg railway and passing west of Wüst-Sommerein and Kr. Jahrndorf, and east of Andau, Nikelsdorf, D. Jahrndorf and Kittsee.

6. *With the Czecho-Slovak State:*

From the point above defined north-westwards to the bend of the old frontier of 1867 between Austria and Hungary about 2 1/2 kilometres north-east of Berg,

a line to be fixed on the ground, cutting the Kittsee-Pressburg road about 2 kilometres north of Kittsee;

thence northwards to a point to be selected on the principal channel of navigation of the Danube about 4 1/2 kilometres upstream from the Pressburg bridge,

a line to be fixed on the ground following as much as possible the old frontier of 1867 between Austria and Hungary;

thence westwards to the confluence of the Morava (March) with the Danube, the principal channel of navigation of the Danube;

thence the course of the Morava upstream, then the course of the Thaya upsteam to a point to be selected about 2 kilometres south-east of the intersection of the Rabensburg-Themenau road with the Rabensburg-Lundenburg railway;

thence west-north-westwards to a point on the old administrative boundary between Lower Austria and Moravia situated about 400 metres south of the point where this boundary cuts the Nikolsburg-Feldsberg railway,

a line to be fixed on the ground passing through points 187 (Dlouhyvrch), 221 (Rosenbergen), 223 (Wolfsberg), 291 (Raistenberg), 249 and 279 (Kallerhaide);

thence west-north-westwards the above-mentioned administrative boundary;

thence westwards to a point to be selected about 3 kilometres east of the village of Franzensthal,

the old administrative boundary between Lower Austria and Bohemia;

thence southwards to point 498 (Gelsenberg) about 5 kilometres north-northwest of Gmund,

a line to be fixed on the ground passing east of the Rottenschachen-Zuggers road and through points 537 and 422 (G. Nagel B.);

thence southwards and then west-north-westwards to a point on the old administrative boundary between Lower Austria and Bohemia situated about 200 metres north of the point where it cuts the Gratzen-Weitra road,

a line to be fixed on the ground passing between Zuggers and Breitensee, then through the most south-easterly point of the railway bridge over the Lainsitz while leaving to Austria the town of Gmünd and to the Czecho-Slovak State the station and railway works of Gmünd (Wolfshof) and the junction of the Gmünd-Budweis and Gmünd-Wittingau railways, then passing through points 524 (Grundbühel), 577 (north of Hohenberg) and 681 (Lagerberg);

thence south-westwards the above mentioned administrative boundary, then north-westwards the old administrative boundary between Upper Austria and Bohemia to its point of junction with the frontier of Germany.

7. *With Germany:*

The frontier of August 3, 1914.

ARTICLE 28.

The frontiers described by the present Treaty are traced, for such parts as are defined, on the one in a million map attached to the present Treaty. In case of differences between the text and the maps, the text will prevail.

ARTICLE 29.

Boundary Commissions, whose composition is fixed by the present Treaty, or will be fixed by a Treaty between the Principal Allied and Associated Powers and the, or any, interested States, will have to trace these frontiers on the ground.

They shall have the power, not only of fixing those portions which are defined as "a line to be fixed on the ground," but also, where a request to that effect is made by one of the States concerned, and the Commission is satisfied that it is desirable to do so, of revising portions defined by administrative boundaries; this shall not however apply in the case of international boundaries existing in August, 1914, where the task of the Commission will confine itself to the re-establishment of sign-posts and boundary-marks.

They shall endeavour in both cases to follow as nearly as possible the descriptions given in the Treaties, taking into account as far as possible administrative boundaries and local economic interests.

The decisions of the Commissions will be taken by a majority, and shall be binding on the parties concerned.

The expenses of the Boundary Commissions will be borne in equal shares by the two States concerned.

ARTICLE 30.

In so far as frontiers defined by a waterway are concerned, the phrases "course" or "channel" used in the descriptions of the present Treaty signify, as regards nonnavigable rivers, the median line of the waterway or of its principal branch, and, as regards navigable rivers, the median line of the principal

channel of navigation. It will rest with the Boundary Commissions provided for by the present Treaty to specify whether the frontier line shall follow any changes of the course or channel which may take place, or whether it shall be definitely fixed by the position of the course or channel at the time when the present Treaty comes into force.

ARTICLE 31.

The various States interested undertake to furnish to the Commissions all documents necessary for their tasks, especially authentic copies of agreements fixing existing or old frontiers, all large scale maps in existance, geodetic data, surveys completed but unpublished, and information concerning the changes of frontier watercourses.

They also undertake to instruct the local authorities to communicate to the Commissions all documents, especially plans, cadastral and land books, and to furnish on demand all details regarding property, existing economic conditions, and other necessary information.

ARTICLE 32.

The various States interested undertake to give every assistance to the Boundary Commissions, whether directly or through local authorities, in everything that concerns transport, accommodation, labour, material (signposts, boundary pillars) necessary for the accomplishment of their mission.

ARTICLE 33.

The various States interested undertake to safeguard the trigonometrical points, signals, posts or frontier marks erected by the Commission.

ARTICLE 34.

The pillars will be placed so as to be intervisible; they will be numbered, and their position and their number will be noted on a cartographic document.

ARTICLE 35.

The protocols defining the boundary and the maps and documents attached thereto will be made out in triplicate, of which two copies will be forwarded to the Governments of the limitrophe States and the third to the Government of the French Republic, which will deliver authentic copies to the Powers who sign the present Treaty.

PART III.

POLITICAL CLAUSES FOR EUROPE.

SECTION 1.—*Italy.*

ARTICLE 36.

Austria renounces, so far as she is concerned, in favour of Italy all rights and title over the territory of the former Austro-Hungarian Monarchy situated beyond the frontier laid down in Article 27 (2) and lying between that frontier, the former Austro-Hungarian frontier, the Adriatic Sea, and the eastern frontier of Italy as subsequently determined.

Austria similarly renounces so far as she is concerned in favour of Italy all rights and title over other territory of the former Austro-Hungarian Monarchy which may be recognized as forming part of Italy by any treaties which may be concluded for the purpose of completing the present settlement.

A Commission composed of five members, one nominated by Italy, three by the other Principal Allied and Associated Powers, and one by Austria, shall be constituted within fifteen days from the coming into force of the present Treaty to trace on the spot the frontier line between Italy and Austria. The decisions of the Commission will be taken by a majority and shall be binding on the parties concerned.

ARTICLE 37.

Notwithstanding the provisions of Article 269 of Part X (Economic Clauses), persons having their usual residence in the territories of the former Austro-Hungarian Monarchy transferred to Italy who, during the war, have been outside the territories of the former Austro-Hungarian Monarchy or have been imprisoned, interned or evacuated, shall enjoy the full benefit of the provisions of Articles 252 and 253 of Part X (Economic Clauses).

ARTICLE 38.

A special Convention will determine the terms of repayment in Austrian currency of the special war expenditure advanced during the war by territory of the former Austro-Hungarian Monarchy transferred to Italy or by public

associations in that territory on account of the Austria-Hungarian Monarchy under its legislation, such as allowances to the families of persons mobilised, requisitions, billeting of troops, and relief to persons who have been evacuated.

In fixing the amount of these sums Austria shall be credited with the amount which the territory would have contributed to Austria-Hungary to meet the expenses resulting from these payments, this contribution being calculated according to the proportion of the revenues of the former Austro-Hungarian Monarchy derived from the territory in 1913.

ARTICLE 39.

The Italian Government will collect for its own account the taxes, dues and charges of every kind leviable in the territories transferred to Italy and not collected on November 3, 1918.

ARTICLE 40.

No sum shall be due by Italy on the ground of her entry into possession of the Palazzo Venezia at Rome.

ARTICLE 41.

Subject to the provisions of Article 204 of Part IX (Financial Clauses) relative to the acquisition of, and payment for, State property and possessions, the Italian Government is substituted in all the rights which the Austrian State possessed over all the railways in the territories transferred to Italy which were administered by the Railway Administration of the said State and which are actually working or under construction.

The same shall apply to the rights of the former Austro-Hungarian Monarchy with regard to railway and tramway concessions within the above-mentioned territories.

The frontier railway stations shall be determined by a subsequent agreement.

ARTICLE 42.

Austria shall restore to Italy within a period of three months all the wagons belonging to the Italian railways which before the outbreak of war had passed into Austria and have not returned to Italy.

ARTICLE 43.

Austria renounces as from November 3, 1918, on behalf of herself and her nationals in regard to territories transferred to Italy all rights to which she may be entitled with regard to the products of the aforesaid territories under any agreements, stipulations or laws establishing trusts, cartels or other similar organizations.

ARTICLE 44.

For a period of ten years from the coming into force of the present Treaty central electric power stations situated in Austrian territory and formerly furnishing electric power to the territories transferred to Italy or to any establishment the exploitation of which passes to Italy shall be required to continue furnishing this supply up to an amount corresponding to the undertakings and contracts in force on November 3, 1918.

Austria further admits the right of Italy to the free use of the waters of Lake Raibl and its derivative water-course and to divert the said waters to the basin of the Korinitza.

ARTICLE 45.

(1) Judgments rendered since August 4, 1914, by the courts in the territory transferred to Italy in civil and commercial cases between the inhabitants of such territory and other nationals of the former Austrian Empire, or between such inhabitants and the subjects of the allies of the Austro-Hungarian Monarchy, shall not be carried into effect until after endorsement by the corresponding new court in such territory.

(2) All decisions rendered for political crimes or offences since August 4, 1914, by the judicial authorities of the former Austro-Hungarian Monarchy against Italian nationals, including persons who obtain Italian nationality under the present Treaty, shall be annulled.

(3) In all matters relating to proceedings initiated before the coming into force of the present Treaty before the competent authorities of the territory transferred to Italy, the Italian and Austrian judicial authorities respectively shall until the coming into force of a special convention on this subject be authorised to correspond with each other direct. Requests thus presented

shall be given effect to so far as the laws of a public character allow in the country to the authorities of which the request is addressed.

(4) All appeals to the higher Austrian judicial and administrative authorities beyond the limits of the territory transferred to Italy against decisions of the administrative or judicial authorities of this territory shall be suspended. The records shall be submitted to the authorities against whose decision the appeal was entered. They must be transmitted to the competent Italian authorities without delay.

(5) All other questions as to jurisdiction, procedure or the administration of justice will be determined by a special convention between Italy and Austria.

SECTION II.—*Serb-Croat-Slovene State.*

ARTICLE 46.

Austria, in conformity with the action already taken by the Allied and Associated Powers, recognizes the complete independence of the Serb-Croat-Slovene State.

ARTICLE 47.

Austria renounces so far as she is concerned in favour of the Serb-Croat-Slovene State all rights and title over the territories of the former Austro-Hungarian Monarchy situated outside the frontiers of Austria as laid down in Article 27 of Part II (Frontiers of Austria) and recognised by the present Treaty, or by any Treaties concluded for the purpose of completing the present settlement, as forming part of the Serb-Croat-Slovene State.

ARTICLE 48.

A Commission consisting of seven members, five nominated by the Principal Allied and Associated Powers, one by the Serb-Croat-Slovene State, and one by Austria, shall be constituted within fifteen days from the coming into force of the present Treaty to trace on the spot the frontier line described in Article 27 (4) of Part II (Frontiers of Austria.)

The decisions of the Commission will be taken by a majority and shall be binding on the parties concerned.

ARTICLE 49.

The inhabitants of the Klagenfurt area will be called upon, to the extent stated below, to indicate by a vote the State to which they wish the territory to belong.

The boundaries of the Klagenfurt area are as follows:

From point 871, about 10 kilometres to the east-north-east of Villach, southwards to a point on the Drave about 2 kilometres above St. Martin,

a line running approximately from north to south to be fixed on the ground;

thence in a north-westerly direction as far as a point about 1 kilometre south-east of the railway bridge on the eastern branch of the bend formed by the Drave about 6 kilometres to the east of Villach,

the course of the Drave;

thence in a south-westerly direction to point 1817 (Malestiger),

a line to be fixed on the ground passing through point 666 (Polana) and cutting the railway between Mallestig and Faak;

thence in an east-south-easterly direction, then north-west to point 1929 (Gushowa),

the watershed between the basins of the Drave to the north and the Save to the south;

thence north-east to point 1054 (Strojna),

a line to be fixed on the ground following in a general manner the western boundary of the basin of the Miess, passing through points 1558, 2124 and 1185;

thence north-east to point 1522 (Hühner Kogel),

a line to be fixed on the ground, crosssing the Drave to the south of Lavamünd;

from the Hühner Kogel westwards to point 842, 1 kilometre west of Kasparstein,

a line to be fixed on the ground passing to the north of Lavamünd;

thence as far as point 1899 (Speikkogl),

the north-eastern administrative boundary of the district of Völkermarkt;

thence in a south-westerly direction and as far as the river Gurk,

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the north-western administrative boundary of the district of Völkermarkt;

thence in south-westerly direction as far as a point on the administrative boundary to the west of point 1075 (Steinbruch Kogel),

a line to be fixed on the ground, passing through point 1076;

thence in a westerly direction and as far a point to be fixed near point 725, about 10 kilometres north-west of Klagenfurt,

the administrative boundary between the districts of St. Veit and Klagenfurt;

thence as far as point 871, which was the starting point of this description,

a line to be fixed on the ground, passing through points 815 (Freudenberg), 1045 (Gallinberg) and 1069 (Taubenbühel).

Article 50.

With a view to the organisation of a plebiscite, the Klagenfurt area will be divided into two zones, the first to the south and the second to the north of a transversal line of which the following is a description:

From the point where the western boundary of the area leaves the Drave in a northerly direction as far as the point about 1 kilometre to the east of Rosegg (Saint-Michael),

the course of the Drave downstream;

thence in a north-easterly direction and as far as the western extremity of the Wörther See, south of Velden,

a line to be fixed on the ground;

thence in an easterly direction to the outlet of the Glanfurt from the lake,

the median line of that lake;

thence eastwards to its confluence with the river Glan,

the course of the Glanfurt downstream;

thence eastward to its confluence with the river Gurk,

the course of the Glan downstream;

thence in a north-easterly direction, to the point where the northern boundary of the Klagenfurt area crosses the river Gurk,

the course of the Gurk.

The Klagenfurt area will be placed under the control of a Commission entrusted with the duty of preparing the plebiscite in that area and assuring the impartial administration thereof. This Commission will be composed as follows: four members nominated respectively by the United States, Great Britain, France and Italy, one by Austria, one by the Serb-Croat-Slovene State, the Austrian member only taking part in the deliberations of the Commission in regard to the second zone, and the Serb-Croat-Slovene member only taking part therein with regard to the first zone. The decisions of the Commission will be taken by a majority.

The second zone will be occupied by the Austrian troops and administered in accordance with the general regulations of the Austrian legislation.

The first zone will be occupied by the troops of the Serb-Croat-Slovene State and administered in accordance with the general regulations of the legislation of that State.

In both zones the troops, whether Austrian or Serb-Croat-Slovene, shall be reduced to the numbers which the Commission may consider necessary for the preservation of order, and shall carry out their mission under the control of the Commission. These troops shall be replaced as speedily as possible by a police force recruited on the spot.

The Commission will be charged with the duty of arranging for the vote and of taking such measures as it may deem necessary to ensure its freedom, fairness and secrecy.

In the first zone the plebiscite will be held within three months from the coming into force of the present Treaty, at a date fixed by the Commission.

If the vote is in favour of the Serb-Croat-Slovene State, a plebiscite will be held in the second zone within three weeks from the proclamation of the result of the plebiscite in the first zone, at a date to be fixed by the Commisison.

If on the other hand the vote in the first zone is in favour of Austria, no plebiscite will be held in the second zone, and the whole of the area will remain definitively under Austrian sovereignty.

The right of voting will be granted to every person without distinction of sex who:

(*a*) Has attained the age of 20 years on or before January 1, 1919;

(*b*) Has on January 1, 1919, his or her habitual residence within the zone subjected to the plebiscite; and,

(*c*) Was born within the said zone, or has had his or her habitual residence or rights of citizenship (*pertinenza*) there from a date previous to January 1, 1912.

The result of the vote will be determined by the majority of votes in the whole of each zone.

On the conclusion of each vote the result will be communicated by the Commission to the Principal Allied and Associated Powers, with a full report as to the taking of the vote, and will be proclaimed.

If the vote is in favour of the incorporation either of the first zone or of both zones in the Serb-Croat-Slovene State, Austria hereby renounces, so far as she is concerned and to the extent corresponding to the result of the vote, in favour of the Serb-Croat-Slovene State all rights and title over these territories.

After agreement with the Commission the Serb-Croat-Slovene Government may definitively establish its authority over the said territories.

If the vote in the first or second zone is in favour of Austria, the Austrian Government, after agreement with the Commission, will be entitled definitively to re-establish its authority over the whole of the Klagenfurt area, or in the second zone, as the case may be.

When the administration of the country, either by the Serb-Croat-Slovene State or by Austria, as the case may be, has been thus assured, the powers of the Commission will terminate.

Expenditure by the Commission will be borne by Austria and the Serb-Croat-Slovene State in equal moieties.

Article 51.

The Serb-Croat-Slovene State accepts and agrees to embody in a Treaty with the Principal and Allied Associated Powers such provisions as may be deemed necessary by these Powers to protect the interests of inhabitants of that State who differ from the majority of the population in race, language or religion.

The Serb-Croat-Slovene State further accepts and agrees to embody in a Treaty with the Principal Allied and Associated Powers such provisions as these Powers may deem necessary to protect freedom of transit and equitable treatment of the commerce of other nations.

ARTICLE 52.

The proportion and nature of the financial obligations of the former Austrian Empire which the Serb-Croat-Slovene State will have to assume on account of the territory placed under its sovereignty will be determined in accordance with Article 203 of Part IX (Financial Clauses) of the present Treaty.

Subsequent agreements will decide all questions which are not decided by the present Treaty and which may arise in consequence of the cession of the said territory.

SECTION III.—*Czecho-Slovak State.*

ARTICLE 53.

Austria, in conformity with the action already taken by the Allied and Associated Powers, recognizes the complete independence of the Czecho-Slovak State, which will include the autonomous territory of the Ruthenians to the south of the Carpathians.

ARTICLE 54.

Austria renounces so far as she is concerned in favour of the Czecho-Slovak State all rights and title over the territories of the former Austro-Hungarian Monarchy situated outside the frontiers of Austria as laid down in Article 27 of Part II (Frontiers of Austria) and recognised in accordance with the present Treaty as forming part of the Czecho-Slovak State.

ARTICLE 55.

A Commission composed of seven members, five nominated by the Principal Allied and Associated Powers, one by the Czecho-Slovak State, and one by Austria, will be appointed fifteen days after the coming into force of the present

Treaty to trace on the spot the frontier line laid down in Article 27 (6) of Part II (Frontiers of Austria) of the present Treaty.

The decisions of this Commission will be taken by a majority and shall be binding on the parties concerned.

ARTICLE 56.

The Czecho-Slovak State undertakes not to erect any military works in that portion of its territory which lies on the right bank of the Danube to the south of Bratislava (Pressburg).

ARTICLE 57.

The Czecho-Slovak State accepts and agrees to embody in a Treaty with the Principal Allied and Associated Powers such provisions as may be deemed necessary by these Powers to protect the interests of inhabitants of that State who differ from the majority of the population in race, language or religion.

The Czecho-Slovak State further accepts and agrees to embody in a Treaty with the Principal Allied and Associated Powers such provisions as these Powers may deem necessary to protect freedom of transit and equitable treatment for the commerce of other nations.

ARTICLE 58.

The proportion and nature of the financial obligations of the former Austrian Empire which the Czecho-Slovak State will have to assume on account of the territory placed under its sovereignty will be determined in accordance with Article 203 of Part IX (Financial Clauses) of the present Treaty.

Subsequent agreements will decide all questions which are not decided by the present Treaty and which may arise in consequence of the cession of the said territory.

SECTION IV.—*Roumania.*

ARTICLE 59.

Austria renounces, so far as she is concerned, in favour of Roumania all rights and title over such portion of the former Duchy of Bukovina as lies within the frontiers of Roumania which may ultimately be fixed by the Principal Allied and Associated Powers.

ARTICLE 60.

Roumania accepts and agrees to embody in a Treaty with the Principal Allied and Associated Powers such provisions as may be deemed necessary by these Powers to protect the interest of inhabitants of that State who differ from the majority of the population in race, language or religion.

Roumania further accepts and agrees to embody in a Treaty with the Principal Allied and Associated Powers such provisions as these Powers may deem necessary to protect freedom of transit and equitable treatment for the commerce of other nations.

ARTICLE 61.

The proportion and nature of the financial obligations of the former Austrian Empire which Roumania will have to assume on account of the territory placed under her sovereignty will be determined in accordance with Article 203 of Part IX (Financial Clauses) of the present Treaty.

Subsequent agreements will decide all questions which are not decided by the present Treaty and which may arise in consequence of the cession of the said territory.

SECTION V.—*Protection of minorities.*

ARTICLE 62.

Austria undertakes that the stipulations contained in this Section shall be recognised as fundamental laws, and that no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation, or official action prevail over them.

ARTICLE 63.

Austria undertakes to assure full and complete protection of life and liberty to all inhabitants of Austria without distinction of birth, nationality, language, race or religion.

All inhabitants of Austria shall be entitled to the free exercise, whether public or private, of any creed, religion, or belief, whose practices are not inconsistent with public order or public morals.

ARTICLE 64.

Austria admits and declares to be Austrian nationals *ipso facto* and without the requirement of any formality all persons possessing at the date of the coming into force of the present Treaty rights of citizenship (*pertinenza*) within Austrian territory who are not nationals of any other State.

ARTICLE 65.

All persons born in Austrian territory who are not born nationals of another State shall *ipso facto* become Austrian nationals.

ARTICLE 66.

All Austrian nationals shall be equal before the law and shall enjoy the same civil and political rights without distinction as to race, language, or religion.

Differences of religion, creed, or confession shall not prejudice any Austrian national in matters relating to the enjoyment of civil or political rights, as for instance admission to public employments, functions and honours, or the exercise of professions and industries.

No restriction shall be imposed on the free use by any Austrian national of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind, or at public meetings.

Notwithstanding any establishment by the Austrian Government of an official language, adequate facilities shall be given to Austrian nationals of non-German speech for the use of their language, either orally or in writing, before the courts.

ARTICLE 67.

Austrian nationals who belong to racial, religious or linguistic minorities shall enjoy the same treatment and security in law and in fact as the other Austrian nationals. In particular they shall have an equal right to establish, manage and control at their own expense charitable, religious and social institutions, schools and other educational establishments, with the right to use their own language and to exercise their religion freely therein.

ARTICLE 68.

Austria will provide in the public educational system in towns and districts in which a considerable proportion of Austrian nationals of other than German speech are residents adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such Austrian nationals through the medium of their own language. This provision shall not prevent the Austrian Government from making the teaching of the German language obligatory in the said schools.

In towns and districts where there is a considerable proportion of Austrian nationals belonging to racial, religious or linguistic minorities, these minorities shall be assured an equitable share in the enjoyment and application of the sums which may be provided out of public funds under the State, municipal or other budgets for educational, religious or charitable purposes.

ARTICLE 69.

Austria agrees that the stipulations in the foregoing Articles of this Section, so far as they affect persons belonging to racial, religious or linguistic minorities, constitute obligations of international concern and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of a majority of the Council of the League of Nations. The Allied and Associated Powers represented on the Council severally agree not to withhold their assent from any modification in these Articles which is in due form assented to by a majority of the Council of the League of Nations.

Austria agrees that any Member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction, or any danger of infraction, of any of these obligations, and that the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances.

Austria further agrees that any difference of opinion as to questions of law or fact arising out of these Articles between the Austrian Government and any one of the Principal Allied and Associated Powers or any other Power, a Member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of

Nations. The Austrian Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.

SECTION VI.—*Clauses relating to nationality.*

ARTICLE 70.

Every person possessing rights of citizenship (*pertinenza*) in territory which formed part of the territories of the former Austro-Hungarian Monarchy shall obtain *ipso facto* to the exclusion of Austrian nationality the nationality of the State exercising sovereignty over such territory.

ARTICLE 71.

Notwithstanding the provisions of Article 70, Italian nationality shall not, in the case of territory transferred to Italy, be acquired *ipso facto:*

(1) by persons possessing rights of citizenship in such territory who were not born there;

(2) by persons who acquired their rights of citizenship in such territory after May 24, 1915, or who acquired them only by reason of their official position.

ARTICLE 72.

The persons referred to in Article 71, as well as those who (*a*) formerly possessed rights of citizenship in the territories transferred to Italy, or whose father, or mother if the father is unknown, possessed rights of citizenship in such territories, or (*b*) have served in the Italian Army during the present war, and their descendants, may claim Italian nationality subject to the conditions prescribed in Article 78 for the right of option.

ARTICLE 73.

The claim to Italian nationality by the persons referred to in Article 72 may in individual cases be refused by the competent Italian authority.

ARTICLE 74.

Where the claim to Italian nationality under Article 72 is not made, or is refused, the persons concerned will obtain *ipso facto* the nationality of the State exercising sovereignty over the territory in which they possessed rights of citizenship before acquiring such rights in the territory transferred to Italy.

ARTICLE 75.

Juridical persons established in the territories transferred to Italy shall be considered Italian if they are recognized as such either by the Italian administrative authorities or by an Italian judicial decision.

ARTICLE 76.

Notwithstanding the provisions of Article 70, persons who acquired rights of citizenship after January 1, 1910, in territory transferred under the present Treaty to the Serb-Croat-Slovene State, or to the Czecho-Slovak State, will not acquire Serb-Croat-Slovene or Czecho-Slovak nationality without a permit from the Serb-Croat-Slovene State or the Czecho-Slovak State respectively.

ARTICLE 77.

If the permit referred to in Article 76 is not applied for, or is refused, the persons concerned will obtain *ipso facto* the nationality of the State exercising sovereignty over the territory in which they previously possessed rights of citizenship.

ARTICLE 78.

Persons over 18 years of age losing their Austrian nationality and obtaining *ipso facto* a new nationality under Article 70 shall be entitled within a period of one year from the coming into force of the present Treaty to opt for the nationality of the State in which they possessed rights of citizenship before acquiring such rights in the territory transferred.

Option by a husband will cover his wife and option by parents will cover their children under 18 years of age.

Persons who have exercised the above right to opt must within the succeeding twelve months transfer their place of residence to the State for which they have opted.

They will be entitled to retain their immovable property in the territory of the other State where they had their place of residence before exercising their right to opt.

They may carry with them their movable property of every description. No export or import duties may be imposed upon them in connection with the removal of such property.

ARTICLE 79.

Persons entitled to vote in plebiscites provided for in the present Treaty shall within a period of six months after the definitive attribution of the area in which the plebiscite has taken place be entitled to opt for the nationality of the State to which the area is not assigned.

The provisions of Article 78 relating to the right of option shall apply equally to the exercise of the right under this Article.

ARTICLE 80.

Persons possessing rights of citizenship in territory forming part of the former Austro-Hungarian Monarchy, and differing in race and language from the majority of the population of such territory, shall within six months of the coming into force of the present Treaty severally be entitled to opt for Austria, Italy, Poland, Roumania, the Serb-Croat-Slovene State, or the Czecho-Slovak State, if the majority of the population of the State selected is of the same race and language as the person exercising the right to opt. The provisions of Article 78 as to the exercise of the right of option shall apply to the right of option given by this Article.

ARTICLE 81.

The High Contracting Parties undertake to put no hindrance in the way of the exercise of the right which the persons concerned have under the present Treaty, or under treaties concluded by the Allied and Associated Powers with Germany, Hungary or Russia, or between any of the Allied and Associated Powers themselves, to choose any other nationality which may be open to them.

ARTICLE 82.

For the purposes of the provisions of this Section, the status of a married woman will be governed by that of her husband, and the status of children under 18 years of age by that of their parents.

SECTION VII.—*Political clauses relating to certain European States.*

1. BELGIUM.

ARTICLE 83.

Austria, recognizing that the Treaties of April 19, 1839, which established the status of Belgium before the war, no longer conform to the requirements of the situation, consents so far as she is concerned to the abrogation of the said treaties and undertakes immediately to recognize and to observe whatever conventions may be entered into by the Principal Allied and Associated Powers, or by any of them, in concert with the Governments of Belgium and of the Netherlands, to replace the said Treaties of 1839. If her formal adhesion should be required to such conventions or to any of their stipulations, Austria undertakes immediately to give it.

2. LUXEMBURG.

ARTICLE 84.

Austria agrees, so far as she is concerned, to the termination of the régime of neutrality of the Grand Duchy of Luxemburg, and accepts in advance all international arrangements which may be concluded by the Allied and Associated Powers relating to the Grand Duchy.

3. SCHLESWIG.

ARTICLE 85.

Austria hereby accepts so far as she is concerned all arrangements made by the Allied and Associated Powers with Germany concerning the territories whose abandonment was imposed upon Denmark by the Treaty of October 30, 1864.

4. TURKEY AND BULGARIA.

ARTICLE 86.

Austria undertakes to recognize and accept as far as she is concerned all arrangements which the Allied and Associated Powers may make with Turkey and with Bulgaria with reference to any rights, interests and privileges whatever which might be claimed by Austria or her nationals in Turkey or Bulgaria and which are not dealt with in the provisions of the present Treaty.

5. RUSSIA AND RUSSIAN STATES.

ARTICLE 87.

1. Austria acknowledges and agrees to respect as permanent and inalienable the independence of all the territories which were part of the former Russian Empire on August 1, 1914.

In accordance with the provisions of Article 210 of Part IX (Financial Clauses) and Article 244 of Part X (Economic Clauses) of the present Treaty, Austria accepts definitely so far as she is concerned the abrogation of the Brest-Litovsk Treaties and of all treaties, conventions and agreements entered into by the former Austro-Hungarian Government with the Maximalist Government in Russia.

The Allied and Associated Powers formally reserve the rights of Russia to obtain from Austria restitution and reparation based on the principles of the present Treaty.

2. Austria undertakes to recognize the full force of all treaties or agreements which may be entered into by the Allied and Associated Powers with States now existing or coming into existence in future in the whole or part of the former Empire of Russia as it existed on August 1, 1914, and to recognize the frontiers of any such States as determined therein.

SECTION VIII.—*General provisions.*

ARTICLE 88.

The independence of Austria is inalienable otherwise than with the consent of the Council of the League of Nations. Consequently Austria undertakes in the absence of the consent of the said Council to abstain from any act which

might directly or indirectly or by any means whatever compromise her independence, particularly, and until her admission to membership of the League of Nations, by participation in the affairs of another Power.

ARTICLE 89.

Austria hereby recognises and accepts the frontiers of Bulgaria, Greece, Hungary, Poland, Roumania, the Serb-Croat-Slovene State and the Czecho-Slovak State as these frontiers may be determined by the Principal Allied and Associated Powers.

ARTICLE 90.

Austria undertakes to recognise the full force of the Treaties of Peace and Additional Conventions which have been or may be concluded by the Allied and Associated Powers with the Powers who fought on the side of the former Austro-Hungarian Monarchy, and to recognise whatever dispositions have been or may be made concerning the territories of the former German Empire, of Hungary, of the Kingdom of Bulgaria and of the Ottoman Empire, and to recognize the new States within their frontiers as there laid down.

ARTICLE 91.

Austria renounces so far as she is concerned in favour of the Principal Allied and Associated Powers all rights and title over the territories which previously belonged to the former Austro-Hungarian Monarchy and which, being situated outside the new frontiers of Austria as described in Article 27 of Part II (Frontiers of Austria), have not at present been assigned to any State.

Austria undertakes to accept the settlement made by the Principal Allied and Associated Powers in regard to these territories, particularly in so far as concerns the nationality of the inhabitants.

ARTICLE 92.

No inhabitants of the territories of the former Austro-Hungarian Monarchy shall be disturbed or molested on account either of his political attitude between July 28, 1914, and the definitive settlement of the sovereignty over these territories, or of the determination of his nationality effected by the present Treaty.

Article 93.

Austria will hand over without delay to the Allied and Associated Governments concerned archives, registers, plans, title-deeds and documents of every kind belonging to the civil, military, financial, judicial or other forms of administration in the ceded territories. If any one of these documents, archives, registers, title-deeds or plans is missing, it shall be restored by Austria upon the demand of the Allied or Associated Government concerned.

In case the archives, registers, plans, title-deeds or documents referred to in the preceding paragraph, exclusive of those of a military character, concern equally the administrations in Austria, and cannot therefore be handed over without inconvenience to such administrations, Austria undertakes, subject to reciprocity, to give access thereto to the Allied and Associated Governments concerned.

Article 94.

Separate conventions between Austria and each of the States to which territory of the former Austrian Empire is transferred, and each of the States arising from the dismemberment of the former Austro-Hungarian Monarchy, will provide for the interests of the inhabitants, especially in connection with their civil rights, their commerce and the exercise of their professions.

PART IV.

AUSTRIAN INTERESTS OUTSIDE EUROPE.

Article 95.

In territory outside her frontiers as fixed by the present Treaty Austria renounces so far as she is concerned all rights, titles and privileges whatever in or over territory outside Europe which belonged to the former Austro-Hungarian Monarchy, or to its allies, and all rights, titles and privileges whatever their origin which it held as against the Allied and Associated Powers.

Austria undertakes immediately to recognise and to conform to the measures which may be taken now or in the future by the Principal Allied and Associated Powers, in agreement where necessary with third Powers, in order to carry the above stipulation into effect.

SECTION I.—*Morocco.*

ARTICLE 96.

Austria renounces so far as she is concerned all rights, titles and privileges conferred on her by the General Act of Algeciras of April 7, 1906, and by the Franco-German Agreements of February 9, 1909 and November 4, 1911. All treaties, agreements, arrangements and contracts concluded by the former Austro-Hungarian Monarchy with the Sherifian Empire are regarded as abrogated as from August 12, 1914.

In no case can Austria avail herself of these acts and she undertakes not to intervene in any way in negotiations relating to Morocco which may take place between France and the other Powers.

ARTICLE 97.

Austria hereby accepts all the consequences of the establishment of the French Protectorate in Morocco, which had been recognized by the Government of the former Austro-Hungarian Monarchy, and she renounces so far as she is concerned the régime of the capitulations in Morocco.

This renunciation shall take effect as from August 12, 1914.

ARTICLE 98.

The Sherifian Government shall have complete liberty of action in regulating the status of Austrian nationals in Morocco and the conditions in which they can establish themselves there.

Austrian protected persons, semsars and "associés agricoles" shall be considered to have ceased, as from August 12, 1914, to enjoy the privileges attached to their status and shall be subject to the ordinary law.

ARTICLE 99.

All movable and immovable property in the Sherifian Empire belonging to the former Austro-Hungarian Monarchy passes *ipso facto* to the Maghzen without compensation.

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For this purpose the property and possessions of the former Austro-Hungarian Monarchy shall be deemed to include all the property of the Crown, and the private property of members of the former Royal Family of Austria-Hungary.

All movable and immovable property in the Sherifian Empire belonging to Austrian nationals shall be dealt with in accordance with Sections III and IV of Part X (Economic Clauses) of the present Treaty.

Mining rights which may be recognised as belonging to Austrian nationals by the Court of Arbitration set up under the Moroccan Mining Regulations shall be treated in the same way as property in Morocco belonging to Austrian nationals.

Article 100.

The Austrian Government shall ensure the transfer to the person nominated by the French Government of the shares representing Austria's portion of the capital of the State Bank of Morocco. This person will repay to the persons entitled thereto the value of these shares, which shall be indicated by the State Bank.

This transfer will take place without prejudice to the repayment of debts which Austrian nationals may have contracted towards the State Bank of Morocco.

Article 101.

Moroccan goods entering Austria shall enjoy the treatment accorded to French goods.

Section II.—*Egypt.*

Article 102.

Austria declares that she recognises the Protectorate proclaimed over Egypt by Great Britain on December 18, 1914, and that she renounces so far as she is concerned the régime of the capitulations in Egypt.

This renunciation shall take effect as from August 12, 1914.

ARTICLE 103.

All treaties, agreements, arrangements and contracts concluded by the Government of the former Austro Hungarian Monarchy with Egypt are regarded as abrogated as from August 12, 1914.

In no case can Austria avail herself of these instruments, and she undertakes not to intervene in any way in negotiations relating to Egypt which may take place between Great Britain and the other Powers.

ARTICLE 104.

Until an Egyptian law of judicial organization establishing courts with universal jurisdiction comes into force, provision shall be made, by means of decrees issued by His Highness the Sultan, for the exercise of jurisdiction over Austrian nationals and property by the British Consular Tribunals.

ARTICLE 105.

The Egyptian Government shall have complete liberty of action in regulating the status of Austrian nationals and the conditions under which they may establish themselves in Egypt.

ARTICLE 106.

Austria consents so far as she is concerned to the abrogation of the decree issued by His Highness the Khedive on November 28, 1904, relating to the Commission of the Egyptian Public Debt, or to such changes as the Egyptian Government may think it desirable to make therein.

ARTICLE 107.

Austria consents, in so far as she is concerned, to the transfer to His Britannic Majesty's Government of the powers conferred on His Imperial Majesty the Sultan by the Convention signed at Constantinople on October 29, 1888, relating to the free navigation of the Suez Canal.

She renounces all participation in the Sanitary, Maritime, and Quarantine Board of Egypt and consents, in so far as she is concerned, to the transfer to the Egyptian Authorities of the powers of that Board.

ARTICLE 108.

All property and possessions in Egypt of the former Austro-Hungarian Monarchy pass to the Egyptian Government without payment.

For this purpose, the property and possessions of the former Austro-Hungarian Monarchy shall be deemed to include all the property of the Crown, and the private property of members of the former Royal Family of Austria-Hungary.

All movable and immovable property in Egypt belonging to Austrian nationals shall be dealt with in accordance with Sections III and IV of Part X (Economic Clauses) of the present Treaty.

ARTICLE 109.

Egyptian goods entering Austria shall enjoy the treatment accorded to British goods.

SECTION III.—*Siam.*

ARTICLE 110.

Austria recognises, so far as she is concerned, that all treaties, conventions and agreements between the former Austro-Hungarian Monarchy and Siam, and all rights, title and privileges derived therefrom, including all rights of extraterritorial jurisdiction, terminated as from July 22, 1917.

ARTICLE 111.

Austria, so far as she is concerned, cedes to Siam all her rights over the goods and property in Siam which belonged to the former Austro-Hungarian Monarchy, with the exception of premises used as diplomatic or consular residences or offices as well as the effects and furniture which they contain. These goods and property pass *ipso facto* and without compensation to the Siamese Government.

The goods, property and private rights of Austrian nationals in Siam shall be dealt with in accordance with the provisions of Part X (Economic Clauses) of the present Treaty.

ARTICLE 112.

Austria waives all claims against the Siamese Government on behalf of herself or her nationals arising out of the liquidation of Austrian property or the internment of Austrian nationals in Siam. This provision shall not affect the rights of the parties interested in the proceeds of any such liquidation, which shall be governed by the provisions of Part X (Economic Clauses) of the present Treaty.

SECTION IV.—*China.*

ARTICLE 113.

Austria renounces, so far as she is concerned, in favour of China all benefits and privileges resulting from the provisions of the final Protocol signed at Peking on September 7, 1901, and from all annexes, notes and documents supplementary thereto. She likewise renounces in favour of China any claim to indemnities accruing thereunder subsequent to August 14, 1917.

ARTICLE 114.

From the coming into force of the present Treaty the High Contracting Parties shall apply, in so far as concerns them respectively:

(1) The Arrangement of August 29, 1902, regarding the new Chinese customs tariff;

(2) The Arrangement of September 27, 1905, regarding Whang-Poo, and the provisional supplementary Arrangement of April 4, 1912.

China, however, will not be bound to grant to Austria the advantages or privileges which she allowed to the former Austro-Hungarian Monarchy under these Arrangements.

ARTICLE 115.

Austria, so far as she is concerned, cedes to China all her rights over the buildings, wharves and pontoons, barracks, forts, arms and munitions of war, vessels of all kinds, wireless telegraphy installations and other public property which belonged to the former Austro-Hungarian Monarchy, and which are

situated or may be in the Austro-Hungarian Concession at Tientsin or elsewhere in Chinese territory.

It is understood, however, that premises used as diplomatic or consular residences or offices, as well as the effects and furniture contained therein, are not included in the above cession, and, furthermore, that no steps shall be taken by the Chinese Government to dispose of the public and private property belonging to the former Austro-Hungarian Monarchy situated within the so-called Legation Quarter at Peking without the consent of the Diplomatic Representatives of the Powers which, on the coming into force of the present Treaty, remain parties to the Final Protocol of September 7, 1901.

ARTICLE 116.

Austria agrees so far as she is concerned to the abrogation of the leases from the Chinese Government under which the Austro-Hungarian Concession at Tientsin is now held.

China, restored to the full exercise of her sovereign rights in the above area, declares her intention of opening it to international residence and trade. She further declares that the abrogation of the leases under which the said concession is now held shall not affect the property rights of nationals of Allied and Associated Powers who are holders of lots in this concession.

ARTICLE 117.

Austria waives all claims against the Chinese Government or against any Allied or Associated Government arising out of the internment of Austrian nationals in China and their repatriation. She equally renounces, so far as she is concerned, all claims arising out of the capture and condemnation of Austro-Hungarian ships in China, or the liquidation, sequestration or control of Austrian properties, rights and interests in that country since August 14, 1917. This provision, however, shall not affect the rights of the parties interested in the proceeds of any such liquidation, which shall be governed by the provisions of Part X (Economic Clauses) of the present Treaty.

PART V.

MILITARY, NAVAL AND AIR CLAUSES.

In order to render possible the initiation of a general limitation of the armaments of all nations, Austria undertakes strictly to observe the military, naval and air clauses which follow.

SECTION 1.—*Military clauses.*

CHAPTER I.—GENERAL.

ARTICLE 118.

Within three months of the coming into force of the present Treaty, the military forces of Austria shall be demobilised to the extent prescribed hereinafter.

ARTICLE 119.

Universal compulsory military service shall be abolished in Austria. The Austrian Army shall in future only be constituted and recruited by means of voluntary enlistment.

CHAPTER II.—EFFECTIVES AND CADRES OF THE AUSTRIAN ARMY.

ARTICLE 120.

The total number of military forces in the Austrian army shall not exceed 30,000 men, including officers and depot troops.

Subject to the following limitations, the formations composing the Austrian Army shall be fixed in accordance with the wishes of Austria:

(1) The effectives of units must be fixed between the maximum and minimum figures shown in Table IV annexed to this Section.

(2) The proportion of officers, including the personnel of staffs and special services, shall not exceed one twentieth of the total effectives with the colours, and that of non-commissioned officers shall not exceed one fifteenth of the total effectives with the colours.

(3) The number of machine guns, guns and howitzers shall not exceed per thousand men of the total effectives with the colours those fixed in Table V annexed to this Section.

The Austrian Army shall be devoted exclusively to the maintenance of order within the territory of Austria, and to the control of her frontiers.

Article 121.

The maximum strength of the Staffs and of all formations which Austria may be permitted to raise are given in the Tables annexed to this Section; these figures need not be exactly followed, but must not be exceeded.

All other organisations for the command of troops or for preparation for war are forbidden.

Article 122.

All measures of mobilisation, or appertaining to mobilisation, are forbidden.

In no case must formations, administrative services, or staffs include supplementary cadres.

The carrying out of any preparatory measures with a view to requisitioning animals or other means of military transport is forbidden.

Article 123.

The number of gendarmes, customs officers, foresters, members of the local or municipal police or other like officials may not exceed the number of men employed in a similar capacity in 1913 within the boundaries of Austria as fixed by the present Treaty.

The number of these officials shall not be increased in the future except as may be necessary to maintain the same proportion between the number of officials and the total population in the localities or municipalities which employ them.

These officials, as well as officials employed in the railway service, must not be assembled for the purpose of taking part in any military exercises.

Article 124.

Every formation of troops not included in the Tables annexed to this Section is forbidden. Such other formations as may exist in excess of the 30,000 effectives authorised shall be suppressed within the period laid down by Article 118.

CHAPTER III.—RECRUITING AND MILITARY TRAINING.

Article 125.

All officers must be regulars (officers *de carrière*). Officers now serving who are retained in the Army must undertake the obligation to serve in it up to the age of 40 years at least. Officers now serving who do not join the new army will be released from all military obligations; they must not take part in any military exercises, whether theoretical or practical.

Officers newly appointed must undertake to serve on the active list for 20 consecutive years at least.

The number of officers discharged for any reason before the expiration of their term of service must not exceed in any year one twentieth of the total of officers provided for in Article 120. If this proportion is unavoidably exceeded the resulting shortage must not be made good by fresh appointments.

Article 126.

The period of enlistment for non-commissioned officers and privates must be for a total period of not less than 12 consecutive years, including at least 6 years with the colours.

The proportion of men discharged before the expiration of the period of their enlistment for reasons of health or as a result of disciplinary measures or for any other reasons must not in any year exceed one twentieth of the total strength fixed by Article 120. If this proportion is unavoidably exceeded, the resulting shortage must not be made good by fresh enlistments.

CHAPTER IV.—SCHOOLS, EDUCATIONAL ESTABLISHMENTS, MILITARY CLUBS AND SOCIETIES.

ARTICLE 127.

The number of students admitted to attend the courses in military schools shall be strictly in proportion to the vacancies to be filled in the cadres of officers. The students and the cadres shall be included in the effectives fixed by Article 120 of the present Section.

Consequently all military schools not required for this purpose shall be abolished.

ARTICLE 128.

Educational establishments, other than those referred to in Article 127, as well as all sporting and other clubs, must not occupy themselves with any military matters.

CHAPTER V.—ARMAMENT, MUNITIONS AND MATERIAL, FORTIFICATIONS.

ARTICLE 129.

On the expiration of three months from the coming into force of the present Treaty, the armament of the Austrian Army shall not exceed the figures fixed per thousand men in Table V annexed to this Section. Any excess in relation to effectives shall only be used for such replacements as may eventually be necessary.

ARTICLE 130.

The stock of munitions at the disposal of the Austrian Army shall not exceed the amounts fixed in Table V annexed to this Section.

Within three months from the coming into force of the present Treaty the Austrian Government shall deposit any existing surplus of armament and munitions in such places as shall be notified to it by the Principal Allied and Associated Powers.

No other stock, depot or reserve of munitions shall be formed.

Article 131.

The number and calibre of guns constituting the fixed normal armament of fortified places existing at the present moment in Austria shall be immediately notified to the Principal Allied and Associated Powers, and will constitute maximum amounts which must not be exceeded.

Within three months of the coming into force of the present Treaty the maximum stock of ammunition for these guns shall be reduced to and maintained at the following uniform rates:

1500 rounds per gun for those the calibre of which is 105 mm. and under;

500 rounds per gun for those of higher calibre.

Article 132.

The manufacture of arms, munitions and war material shall only be carried on in one single factory, which shall be controlled by and belong to the State, and whose output shall be stictly limited to the manufacture of such arms, munitions and war material as is necessary for the military forces and armaments referred to in Articles 120, 123, 129, 130 and 131.

The manufacture of sporting weapons is not forbidden, provided that sporting weapons manufactured in Austria taking ball cartridge are not of the same calibre as that of military weapons used in any European army.

Within three months from the coming into force of the present Treaty, all other establishments for the manufacture, preparation, storage or design of arms, munitions or any other war material shall be closed down or converted to purely commercial uses.

Within the same length of time, all arsenals shall also be closed down, except those to be used as depots for the authorised stocks of munitions, and their staffs discharged.

The plant of any establishments or arsenals in excess of the amount required for the manufacture authorised shall be rendered useless or converted to purely commercial purposes in accordance with the decisions of the Military Inter-Allied Commission of Control referred to in Article 153.

Article 133.

Within three months from the coming into force of the present Treaty, all arms, munitions and war material, including any kind of anti-aircraft material, of whatever origin, existing in Austria in excess of the quantity authorised shall be handed over to the Principal Allied and Associated Powers.

Delivery shall take place at such points in Austrian territory as may be appointed by the said Powers, who shall also decide on the disposal of such material.

Article 134.

The importation into Austria of arms, munitions and war material of all kinds is strictly forbidden.

The manufacture for foreign countries and the exportation of arms, munitions and war material shall also be forbidden.

Article 135.

The use of flame throwers, asphyxiating, poisonous or other gases, and all similar liquids, materials or devices being prohibited, their manufacture and importation are strictly forbidden in Austria.

Material specially intended for the manufacture, storage or use of the said products or devices is equally forbidden.

The manufacture and importation into Austria of armoured cars, tanks or any similar machines suitable for use in war are equally forbidden.

TABLE I.—*Composition and maximum effectives of an Infantry Division.*

Units.	Maximum effectives of each unit.	
	Officers.	Men.
Headquarters of an Infantry Division	25	70
Headquarters of Divisional Infantry	5	50
Headquarters of Divisional Artillery	4	30
3 Regiments of infantry [1] (on the basis of 65 officers and 2,000 men per regiment)	195	6,000
1 Squadron	6	160
1 Battalion of Trench Artillery (3 Companies)	14	500
1 Battalion of Pioneers [2] (3 Companies)	14	500
Regiment Field Artillery [3]	80	1,200
1 Battalion Cyclists (comprising 3 Companies)	18	450
1 Signal Detachment [4]	11	330
Divisional medical corps	28	550
Divisional parks and trains	14	940
Total for an Infantry Division	414	10,780

[1] Each Regiment comprises 3 Battalions of infantry. Each Battalion comprises 3 Companies of infantry and 1 Machine gun Company.
[2] Each Battalion comprises 1 Headquarters, 2 Pioneer Companies, 1 Bridging Section, 1 Searchlight Section.
[3] Each Regiment comprises 1 Headquarters, 3 Groups of Field or Mountain Artillery, comprising 8 Batteries; each Battery comprising 4 guns or howitzers (field or mountain).
[4] This Detachment comprises: telephone detachment, 1 listening section, 1 carrier pigeon section.

TABLE II.—*Composition and maximum effectives for a Cavalry Division.*

Units.	Maximum number authorised.	Maximum effectives of each unit.	
		Officers.	Men.
Headquarters of a Cavalry Division	1	15	50
Regiment of Cavalry [1]	6	30	720
Group of Field Artillery (3 Batteries)	1	30	430
Group of motor machine guns and armoured cars [2]	1	4	80
Miscellaneous services	*	30	500
Total for a Cavalry Division		259	5,380

[1] Each Regiment comprises 4 Squadrons.
[2] Each group comprises 9 fighting cars, each carrying one gun, 1 machine gun, and 1 spare machine gun, 4 communication cars, 2 small lorries for stores, 7 lorries, including 1 repair lorry, 4 motor cars.

NOTE.—The large Cavalry Units may include a variable number of regiments and be divided into independent brigades within the limit of the effectives laid down above.

TABLE III.—*Composition and maximum effectives for a mixed brigade.*

Units.	Maximum effectives of each unit.	
	Officers.	Men.
Headquarters of a Brigade	10	50
2 Regiments of Infantry [1]	130	4,000
1 Cyclist Battalion	18	450
1 Cavalry Squadron	5	100
1 Group Field Artillery	20	400
1 Trench Mortar Company	5	150
Miscellaneous services	10	200
Total for Mixed Brigade	198	5,350

[1] Each Regiment comprises 3 Battalions of Infantry. Each Battalion comprises 3 Companies of Infantry and 1 Machine gun Company.

TABLE IV.—*Minimum effectives of units whatever organisation is adopted in the Army (Divisions, Mixed Brigades, etc.)*

Units.	Maximum effectives (for reference).		Minimum effectives.	
	Officers.	Men.	Officers.	Men.
Infantry Division	414	10,780	300	8,000
Cavalry Division	259	5,380	180	3,650
Mixed Brigade	198	5,350	140	4,250
Regiment of Infantry	65	2,000	52	1,600
Battalion of Infantry	16	650	12	500
Company of Infantry or Machine-guns	3	160	2	120
Cyclist Group	18	450	12	300
Regiment of Cavalry	30	720	20	450
Squadron of Cavalry	6	160	3	100
Regiment of Field Artillery	80	1,200	60	1,000
Battery of Field Artillery	4	150	2	120
Company of French Mortars	3	150	2	100
Battalion of Pioneers	14	500	8	300
Battery of Mountain Artillery	5	320	3	200

TABLE V.—*Maximum authorised armaments and munition supplies.*

Material.	Quantity for 1,000 men.	Amount of munitions per arm (rifles, guns, etc.).
Rifles or Carbines	1,500	500 rounds.
Machine guns, heavy or light	15	10,000 rounds.
Trench Mortars, light	2	1,000 rounds.
Trench Mortars, medium		500 rounds.
Guns or howitzers (field or mountain)	3	1,000 rounds.

[1]Automatic rifles or carbines are counted as light machine guns.

NOTE.—No heavy guns, i. e., of a caliber greater than 105 mm. is authorised, with the exception of the normal armament of fortified places.

SECTION II.—*Naval clauses.*

ARTICLE 136.

From the date of the coming into force of the present Treaty all Austro-Hungarian warships, submarines included, are declared to be finally surrendered to the Principal Allied and Associated Powers.

All the monitors, torpedo boats and armed vessels of the Danube Flotilla will be surrendered to the Principal Allied and Associated Powers.

Austria will, however, have the right to maintain on the Danube for the use of the river police three patrol boats to be selected by the Commission referred to in Article 154 of the present Treaty.

ARTICLE 137.

The Austro-Hungarian auxiliary cruisers and fleet auxiliaries enumerated below will be disarmed and treated as merchant ships:

Bosnia.
Gablonz.
Carolina.
Africa.
Tirol.
Argentina.
Lussin.
Teodo.
Pelikan.
Herkules.
Pola.
Najade.
Pluto.
President Wilson (ex-Kaiser Franz Joseph).
Trieste.
Baron Bruck.
Nixe.
Gigante.
Dalmat.
Persia.
Prince Hohenlohe.
Gastein.
Helouan.
Graf Wurmbrand.
Elizabet.
Melcavich.
Baron Call.
Gaea.
Cyclop.
Vesta.
Nymphe.
Buffel.

ARTICLE 138.

All warships, including submarines, now under construction in Austrian ports, or in ports which previously belonged to the Austro-Hungarian Monarchy, shall be broken up.

The work of breaking up these vessels will be commenced as soon as possible after the coming into force of the present Treaty.

ARTICLE 139.

Articles, machinery and material arising from the breaking up of Austro-Hungarian warships of all kinds, whether surface vessels or submarines, may not be used except for purely industrial or commercial purposes.

They may not be sold or disposed of to foreign countries.

ARTICLE 140.

The construction or acquisition of any submarine, even for commercial purposes, shall be forbidden in Austria.

ARTICLE 141.

All arms, ammunition and other naval war material, including mines and torpedoes, which belonged to Austria-Hungary at the date of the signature of the Armistice of November 3, 1918, are declared to be finally surrendered to the Principal Allied and Associated Powers.

ARTICLE 142.

Austria is held responsible for the delivery (Articles 136 and 141), the disarmament (Article 137), the demolition (Article 138), as well as the disposal (Article 137) and the use (Article 139) of the objects mentioned in the preceding Articles only so far as these remain in her own territory.

ARTICLE 143.

During the three months following the coming into force of the present Treaty, the Austrian high-power wireless telegraphy station at Vienna shall not be used for the transmission of messages concerning naval, military or

political questions of interest to Austria, or any State which has been allied to Austria-Hungary in the war, without the assent of the Principal Allied and Associated Powers. This station may be used for commercial purposes, but only under the supervision of the said Powers, who will decide the wave-length to be used.

During the same period Austria shall not build any more high-power wireless telegraphy stations in her own territory or that of Hungary, Germany, Bulgaria or Turkey.

SECTION III.—*Air clauses.*

ARTICLE 144.

The armed forces of Austria must not include any military or naval air forces.

No dirigible shall be kept.

ARTICLE 145.

Within two months from the coming into force of the present Treaty, the personnel of the air forces on the rolls of the Austrian land and sea forces shall be demobilised.

ARTICLE 146.

Until the complete evacuation of Austrian territory by the Allied and Associated troops the aircraft of the Allied and Associated Powers shall enjoy in Austria freedom of passage through the air, freedom of transit and of landing.

ARTICLE 147.

During the six months following the coming into force of the present Treaty, the manufacture, importation and exportation of aircraft, parts of aircraft, engines for aircraft, and parts of engines for aircraft shall be forbidden in all Austrian territory.

ARTICLE 148.

On the coming into force of the present Treaty, all military and naval aeronautical material must be delivered by Austria and at her expense to the Principal Allied and Associated Powers.

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Delivery must be effected at such places as the Governments of the said Powers may select, and must be completed within three months.

In particular, this material will include all items under the following heads which are or have been in use or were designed for warlike purposes:

Complete aeroplanes and seaplanes, as well as those being manufactured, repaired or assembled.

Dirigibles able to take the air, being manufactured, repaired or assembled.

Plant for the manufacture of hydrogen.

Dirigible sheds and shelters of every kind for aircraft.

Pending their delivery, dirigibles will, at the expense of Austria, be maintained inflated with hydrogen: the plant for the manufacture of hydrogen, as well as the sheds for dirigibles, may, at the discretion of the said Powers, be left to Austria until the time when the dirigibles are handed over.

Engines for aircraft.

Nacelles and fuselages.

Armament (guns, machine guns, light machine guns, bomb-dropping apparatus, torpedo apparatus, synchronisation apparatus, aiming apparatus).

Munitions (cartridges, shells, bombs loaded or unloaded, stocks of explosives or of material for their manufacture).

Instruments for use on aircraft.

Wireless apparatus and photographic or cinematograph apparatus for use on aircraft.

Component parts of any of the items under the preceding heads.

The material referred to above shall not be removed without special permission from the said Governments.

SECTION IV.—*Inter-allied commissions of control.*

ARTICLE 149.

All the Military, Naval and Air Clauses contained in the present Treaty for the execution of which a time limit is prescribed shall be executed by Austria under the control of Inter-Allied Commissions specially appointed for this purpose by the Principal Allied and Associated Powers.

The above-mentioned Commissions will represent the Governments of the Principal Allied and Associated Powers in dealing with the Austrian Government in all matters concerning the execution of the Military, Naval and Air Clauses. They will communicate to the Austrian authorities the decisions which the Principal Allied and Associated Powers have reserved the right to take or which the execution of the said Clauses may necessitate.

ARTICLE 150.

The Inter-Allied Commissions of Control may establish their organisations at Vienna and shall be entitled, as often as they think desirable, to proceed to any point whatever in Austrian territory, or to send a sub-commission, or to authorise one or more of their members to go, to any such point.

ARTICLE 151.

The Austrian Government must furnish to the Inter-Allied Commissions of Control all such information and documents as the latter may deem necessary to ensure the execution of their mission, and all means (both in personnel and in material) which the above-mentioned Commissions may need to ensure the complete execution of the Military, Naval or Air Clauses.

The Austrian Government must attach a qualified representative to each Inter-Allied Commission of Control with the duty of receiving from the latter any communications which it may have to address to the Austrian Government, and furnishing it with, or procuring, all information or documents demanded.

ARTICLE 152.

The upkeep and cost of the Commissions of Control and the expense involved by their work shall be borne by Austria.

ARTICLE 153.

It will be the special duty of the Military Inter-Allied Commission of Control to receive from the Austrian Government the notifications relating to the location of the stocks and depots of munitions, the armament of the fortified works, fortresses and forts, and the location of the works or factories for the production of arms, munitions and war material and their operations.

It will take delivery of the arms, munitions, war material and plant intended for war construction, will select the points where such delivery is to be effected, and will supervise the works of destruction, and rendering things useless, or of transformation of material, which are to be carried out in accordance with the present Treaty.

ARTICLE 154.

It will be the special duty of the Naval Inter-Allied Commission of Control to proceed to the building yards and to supervise the breaking-up of the ships which are under construction there, to take delivery of arms, munitions and naval war material, and to supervise the destruction and breaking-up provided for.

The Austrian Government must furnish to the Naval Inter-Allied Commission of Control all such information and documents as the Commission may deem necessary to ensure the complete execution of the Naval Clauses, in particular the designs of the warships, the composition of their armaments, the details and models of the guns, munitions, torpedoes, mines, explosives, wireless telegraphic apparatus, and in general everything relating to naval war material, as well as all legislative or administrative documents or regulations.

ARTICLE 155.

It will be the special duty of the Aeronautical Inter-Allied Commission of Control to make an inventory of the aeronautical material which is actually in the possession of the Austrian Government, to inspect aeroplane, balloon and motor manufactories, and factories producing arms, munitions and explosives capable of being used by aircraft, to visit all aerodromes, sheds, landing grounds, parks and depots which are now in Austrian territory, and to authorise where necessary a removal of material and to take delivery of such material.

The Austrian Government must furnish to the Aeronautical Inter-Allied Commission of Control all such information and legislative, administrative or other documents which the Commission may consider necessary to ensure the complete execution of the Air Clauses, and, in particular, a list of the

personnel belonging to all the air services of Austria and of the existing material, as well as of that in process of manufacture or on order, and a list of all establishments working for aviation, of their positions, and of all sheds and landing grounds.

SECTION V.— *General articles.*

ARTICLE 156.

After the expiration of a period of three months from the coming into force of the present Treaty, the Austrian laws must have been modified and shall be maintained by the Austrian Government in conformity with this Part of the present Treaty.

Within the same period all the administrative or other measures relating to the execution of this Part must have been taken by the Austrian Government.

ARTICLE 157.

The following portions of the Armistice of November 3, 1918 : paragraphs 2 and 3 of Chapter I (Military Clauses), paragraphs 2, 3, 6 of Chapter I of the annexed Protocol (Military Clauses), remain in force so far as they are not inconsistent with the above stipulations.

ARTICLE 158.

Austria undertakes, from the coming into force of the present Treaty, not to accredit nor to send to any foreign country any military, naval or air mission, nor to allow any such mission to leave her territory; Austria further agrees to take the necessary measures to prevent Austrian nationals from leaving her territory to enlist in the Army, Navy or Air service of any foreign Power, or to be attached to such Army, Navy or Air service for the purpose of assisting in the military, naval or air training thereof, or generally for the purpose of giving military, naval or air instruction in any foreign country.

The Allied and Associated Powers undertake, so far as they are concerned, that from the coming into force of the present Treaty they will not enrol in nor attach to their armies or naval or air forces any Austrian national for the purpose of assisting in the military training of such armies or naval or air forces,

or otherwise employ any such Austrian national as military, naval or aeronautic instructor.

The present provision does not, however, affect the right of France to recruit for the Foreign Legion in accordance with French military laws and regulations.

ARTICLE 159.

So long as the present Treaty remains in force, Austria undertakes to submit to any investigation which the Council of the League of Nations, acting if need be by a majority vote, may consider necessary.

PART VI.

PRISONERS OF WAR AND GRAVES.

SECTION I.—*Prisoners of war.*

ARTICLE 160.

The repatriation of Austrian prisoners of war and interned civilians shall take place as soon as possible after the coming into force of the present Treaty, and shall be carried out with the greatest rapidity.

ARTICLE 161.

The repatriation of Austrian prisoners of war and interned civilians shall, in accordance with Article 160, be carried out by a Commission composed of representatives of the Allied and Associated Powers on the one part and of the Austrian Government on the other part.

For each of the Allied and Associated Powers a Sub-Commission composed exclusively of representatives of the interested Power and of delegates of the Austrian Government shall regulate the details of carrying into effect the repatriation of prisoners of war.

ARTICLE 162.

From the time of their delivery into the hands of the Austrian authorities, the prisoners of war and interned civilians are to be returned without delay to their homes by the said Authorities.

Those among them who, before the war, were habitually resident in territory occupied by the troops of the Allied and Associated Powers are likewise to be sent to their homes, subject to the consent and control of the military authorities of the Allied and Associated armies of occupation.

ARTICLE 163.

The whole cost of repatriation from the moment of starting shall be borne by the Austrian Government, who shall also provide means of transport and working personnel as considered necessary by the Commission referred to in Article 161.

ARTICLE 164.

Prisoners of war and interned civilians awaiting disposal or undergoing sentence for offences against discipline shall be repatriated irrespective of the completion of their sentence or of the proceedings pending against them.

This stipulation shall not apply to prisoners of war and interned civilians punished for offences committed subsequent to June 1, 1919.

During the period pending their repatriation, all prisoners of war and interned civilians shall remain subject to the existing regulations, more especially as regards work and discipline.

ARTICLE 165.

Prisoners of war and interned civilians who are awaiting trial or undergoing sentence for offences other than those against discipline may be detained.

ARTICLE 166.

The Austrian Government undertakes to admit to its territory without distinction all persons liable to repatriation.

Prisoners of war or Austrian nationals who do not desire to be repatriated may be excluded from repatriation: but the Allied and Associated Governments reserve to themselves the right either to repatriate them or to take them to a neutral country or to allow them to reside in their own territories.

The Austrian Government undertakes not to institute any exceptional proceedings against these persons or their families nor to take any repressive or vexatious measures of any kind whatsoever against them on this account.

ARTICLE 167.

The Allied and Associated Governments reserve the right to make the repatriation of Austrian prisoners of war or Austrian nationals in their hands conditional upon the immediate notification and release by the Austrian Government of any prisoners of war and other nationals of the Allied and Associated Powers who are still held in Austria against their will.

ARTICLE 168.

The Austrian Government undertakes:

(1) To give every facility to Commissions to enquire into the cases of those who cannot be traced; to furnish such Commissions with all necessary means of transport; to allow them access to camps, prisons, hospitals and all other places; and to place at their disposal all documents whether public or private which would facilitate their enquiries;

(2) To impose penalties upon any Austrian officials or private persons who have concealed the presence of any nationals of any of the Allied or Associated Powers, or who have neglected to reveal the presence of any such after it had come to their knowledge.

ARTICLE 169.

The Austrian Government undertakes to restore without delay from the date of the coming into force of the present Treaty all articles, money, securities and documents which have belonged to nationals of the Allied and Associated Powers and which have been retained by the Austrian authorities.

ARTICLE 170.

The High Contracting Parties waive reciprocally all repayment of sums due for the maintenance of prisoners of war in their respective territories.

SECTION II.— *Graves.*

ARTICLE 171.

The Allied and Associated Governments and the Austrian Government will cause to be respected and maintained the graves of the soldiers and sailors buried in their respective territories.

They agree to recognise any Commission appointed by the several Governments for the purpose of identifying, registering, caring for or erecting suitable memorials over the said graves, and to facilitate the discharge of its duties.

Furthermore, they agree to afford, so far as the provisions of their laws and the requirements of public health allow, every facility for giving effect to requests that the bodies of their soldiers and sailors may be transferred to their own country.

Article 172.

The graves of prisoners of war and interned civilians who are nationals of the different belligerent States and have died in captivity shall be properly maintained in accordance with Article 171 of this Part of the present Treaty.

The Allied and Associated Powers on the one part and the Austrian Government on the other part reciprocally undertake also to furnish to each other:

(1) A complete list of those who have died, together with all information useful for identification;

(2) All information as to the number and positions of the graves of all those who have been buried without identification.

PART VII.

PENALTIES.

Article 173.

The Austrian Government recognises the right of the Allied and Associated Powers to bring before military tribunals persons accused of having committed acts in violation of the laws and customs of war. Such persons shall, if found guilty, be sentenced to punishments laid down by law. This provision will apply notwithstanding any proceedings or prosecutions before a tribunal in Austria or in the territory of her allies.

The Austrian Government shall hand over to the Allied and Associated Powers, or to such one of them as shall so request, all persons accused of having

committed an act in violation of the laws and customs of war, who are specified either by name or by the rank, office or employment which they held under the Austrian authorities.

ARTICLE 174.

Persons guilty of criminal acts against the nationals of one of the Allied and Associated Powers will be brought before the military tribunals of that Power.

Persons guilty of criminal acts against the nationals of more than one of the Allied and Associated Powers will be brought before military tribunals composed of members of the military tribunals of the Powers concerned.

In every case the accused will be entitled to name his own counsel.

ARTICLE 175.

The Austrian Government undertakes to furnish all documents and information of every kind, the production of which may be considered necessary to ensure the full knowledge of the incriminating acts, the discovery of offenders and the just appreciation of responsibility.

ARTICLE 176.

The provisions of Articles 173 to 175 apply similarly to the Governments of the States to which territory belonging to the former Austro-Hungarian Monarchy has been assigned, in so far as concerns persons accused of having committed acts contrary to the laws and customs of war who are in the territory or at the disposal of the said States.

If the persons in question have acquired the nationality of one of the said States, the Government of such State undertakes to take, at the request of the Power concerned and in agreement with it, all the measures necessary to ensure the prosecution and punishment of such persons.

PART VIII.

REPARATION.

SECTION I.— *General provisions.*

ARTICLE 177.

The Allied and Associated Governments affirm and Austria accepts the responsibility of Austria and her allies for causing the loss and damage to which the Allied and Associated Governments and their nationals have been subjected as a consequence of the war imposed upon them by the aggression of Austria-Hungary and her allies.

ARTICLE 178.

The Allied and Associated Governments recognise that the resources of Austria are not adequate, after taking into account the permanent diminutions of such resources which will result from other provisions of the present Treaty, to make complete reparation for such loss and damage.

The Allied and Associated Governments however require, and Austria undertakes, that she will make compensation as hereinafter determined for damage done to the civilian population of the Allied and Associated Powers and to their property during the period of the belligerency of each as an Allied and Associated Power against Austria by the said agression by land, by sea and from the air, and in general damage as defined in Annex I hereto.

ARTICLE 179.

The amount of such damage for which compensation is to be made by Austria shall be determined by an Inter-Allied Commission to be called the *Reparation Commission* and constituted in the form and with the powers set forth hereunder and in Annexes Nos. II–V inclusive hereto. The Commission is the same as that provided for under Article 233 of the Treaty with Germany, subject to any modifications resulting from the present Treaty. The Commission shall constitute a Section to consider the special questions raised by the application of the present Treaty: this Section shall have consultative power only, except in cases in which the Commission shall delegate to it such powers as may be deemed convenient.

The Reparation Commission shall consider the claims and give to the Austrian Government a just opportunity to be heard.

The Commission shall concurrently draw up a schedule of payments prescribing the time and manner for securing and discharging by Austria, within thirty years dating from May 1, 1921, that part of the debt which shall have been assigned to her after the Commission has decided whether Germany is in a position to pay the balance of the total amount of claims presented against Germany and her allies and approved by the Commission. If, however, within the period mentioned, Austria fails to discharge her obligations, any balance remaining unpaid may, within the discretion of the Commission, be postponed for settlement in subsequent years or may be handled otherwise in such manner as the Allied and Associated Governments acting in accordance with the procedure laid down in this Part of the present Treaty shall determine.

ARTICLE 180.

The Reparation Commission shall, after May 1, 1921, from time to time consider the resources and capacity of Austria, and, after giving her representatives a just opportunity to be heard, shall have discretion to extend the date and to modify the form of payments such as are to be provided for in accordance with Article 179, but not to cancel any part except with the specific authority of the several Governments represented on the Commission.

ARTICLE 181.

Austria shall pay in the course of the years 1919, 1920 and the first four months of 1921, in such instalments and in such manner (whether in gold, commodities, ships, securities or otherwise) as the Reparation Commission may lay down, a reasonable sum which shall be determined by the Commission.

Out of this sum the expenses of the armies of occupation subsequent to the Armistice of November 3, 1918, shall first be met, and such supplies of food and raw materials as may be judged by the Governments of the Principal Allied and Associated Powers essential to enable Austria to meet her obligations for reparation may also, with the approval of the said Governments, be paid for out of the

above sum. The balance shall be reckoned towards the liquidation of the amount due for reparation.

Austria shall further deposit bonds as prescribed in paragraph 12 (*c*) of Annex II hereto.

ARTICLE 182.

Austria further agrees to the direct application of her economic resources to reparation as specified in Annexes III, IV and V relating respectively to merchant shipping, to physical restoration and to raw material; provided always that the value of the property transferred and any services rendered by her under these Annexes, assessed in the manner therein prescribed, shall be credited to her towards the liquidation of her obligations under the above Articles.

ARTICLE 183.

The successive instalments, including the above sum, paid over by Austria in satisfaction of the above claims will be divided by the Allied and Associated Governments in proportions which have been determined upon by them in advance on a basis of general equity and the rights of each.

For the purposes of this division the value of the credits referred to in Article 189 and in Annexes III, IV and V shall be reckoned in the same manner as cash payments made in the same year.

ARTICLE 184.

In addition to the payments mentioned above, Austria shall effect, in accordance with the procedure laid down by the Reparation Commission, restitution in cash of cash taken away, seized or sequestrated, and also restitution of animals, objects of every nature and securities taken away, seized or sequestrated in the cases in which it proves possible to identify them on territory belonging to, or during the execution of the present Treaty in the possession of, Austria or her allies.

ARTICLE 185.

The Austrian Government undertakes to make forthwith the restitution contemplated in Article 184 above and to make the payments and deliveries contemplated in Articles 179, 180, 181 and 182 above.

ARTICLE 186.

The Austrian Government recognises the Commission provided for by Article 179 as the same may be constituted by the Allied and Associated Governments in accordance with Annex II, and agrees irrevocably to the possession and exercise by such Commission of the power and authority given to it under the present Treaty.

The Austrian Government will supply to the Commission all the information which the Commission may require relative to the financial situation and operations and to the property, productive capacity and stocks, and current production of raw materials and manufactured articles of Austria and her nationals, and further any information relative to the military operations of the war of 1914–19 which, in the judgment of the Commission, may be necessary.

The Austrian Government shall accord to the members of the Commission and its authorised agents the same rights and immunities as are enjoyed in Austria by duly accredited diplomatic agents of friendly Powers. Austria further agrees to provide for the salaries and the expenses of the Commission and of such staff as it may employ.

ARTICLE 187.

Austria undertakes to pass, issue and maintain in force any legislation, orders and decrees that may be necessary to give complete effect to these provisions.

ARTICLE 188.

The provisions in this Part of the present Treaty shall not affect in any respect the provisions of Sections III and IV of Part X (Economic Clauses) of the present Treaty.

ARTICLE 189.

The following shall be reckoned as credits to Austria in respect of her reparation obligations:

(*a*) Any final balance in favour of Austria under Sections III and IV of Part X (Economic Clauses) of the present Treaty;

(*b*) Amounts due to Austria in respect of transfers provided for in Part IX (Financial Clauses) and in Part XII (Ports, Waterways and Railways);

(*c*) All amounts which, in the judgment of the Reparation Commission, should be credited to Austria on account of any other transfers under the present Treaty of property, rights, concessions or other interests.

In no case, however, shall credit be given for property restored in accordance with Article 184.

ARTICLE 190.

The transfer of the Austrian submarine cables, in the absence of any special provision in the present Treaty, is regulated by Annex VI hereto.

ANNEX I.

Compensation may be claimed from Austria in accordance with Article 178 above in respect of the total damage under the following categories:

(1) Damage to injured persons and to surviving dependants by personal injury to or death of civilians caused by acts of war, including bombardment or other attacks on land, on sea or from the air, and of the direct consequences thereof and of all operations of war by the two groups of belligerents wherever arising;

(2) Damage caused by Austria or her allies to civilian victims of acts of cruelty, violence or maltreatment (including injuries to life or health as a consequence of imprisonment, deportation, internment or evacuation, of exposure at sea, or of being forced to labour) wherever arising, and to the surviving dependants of such victims;

(3) Damage caused by Austria or her allies in their own territory or in occupied or invaded territory to civilian victims of all acts injurious to health or capacity to work or to honour, as well as to the surviving dependants of such victims;

(4) Damage caused by any kind of maltreatment of prisoners of war;

(5) As damage caused to the peoples of the Allied and Associated Powers, all pensions or compensations in the way of pensions to naval and military victims of war, including members of the air force, whether mutilated, wounded,

sick or invalided, and to the dependants of such victims, the amount due to the Allied and Associated Governments being calculated for each individual as being the capitalised cost of such pensions and compensations at the date of the coming into force of the present Treaty on the basis of the scales in force in France on May 1, 1919;

(6) The cost of assistance by the Governments of the Allied and Associated Powers to prisoners of war, to their families and dependants;

(7) Allowances by the Governments of the Allied and Associated Powers to the families and dependants of mobilised persons or persons serving with the forces, the amount due to them for each calendar year in which hostilities occurred being calculated for each Government on the basis of the average scale for such payments in force in France during that year;

(8) Damage caused to civilians by being forced by Austria or her allies to labour without just remuneration;

(9) Damage in respect of all property, wherever situated, belonging to any of the Allied or Associated States or their nationals, with the exception of naval or military works or materials, which has been carried off, seized, injured, or destroyed by the acts of Austria or her allies on land, on sea, or from the air, or damage directly in consequence of hostilities or of any operations of war;

(10) Damage in the form of levies, fines and other similar exactions imposed by Austria or her allies upon the civilian population.

Annex II.

1.

The Commission referred to in Article 179 shall be called the "Reparation Commission" and is hereafter referred to as the "Commission."

2.

The Delegates to this Commission shall be appointed by the United States of America, Great Britain, France, Italy, Japan, Belgium, Greece, Poland, Roumania, the Serb-Croat-Slovene State and Czecho-Slovakia. The United States of America, Great Britain, France, Italy, Japan and Belgium shall each appoint a Delegate. The other five Powers shall appoint a Delegate to rep-

resent them all under the conditions indicated in the third sub-paragraph of paragraph 3 hereafter. At the time when each Delegate is appointed there shall also be appointed an Assistant Delegate, who will take his place in case of illness or necessary absence, but at other times will only have the right to be present at the proceedings without taking any part therein.

On no occasion shall Delegates of more than five of the above Powers have the right to take part in the proceedings of the Commission and to record their votes. The Delegates of the United States, Great Britain, France and Italy shall have this right on all occasions other than those referred to below. The Delegate of Belgium shall have this right on all occasions other than those referred to below. The Delegate of Japan will have this right when questions relating to damage at sea are under consideration. The Delegate representing the five remaining Powers mentioned above shall have this right when questions relating to Austria, Hungary or Bulgaria are under consideration.

Each of the Governments represented on the Commission shall have the right to withdraw after giving twelve months' notice to the Commission and confirming it six months after the date of the original notification.

3.

Such of the Allied and Associated Powers as may be interested shall have the right to name a Delegate to be present and act as assessor only while their respective claims and interests are under examination or discussion, but without the right to vote.

The Section to be established by the Commission under Article 179 of the present Part shall include representatives of the following Powers: the United States of America, Great Britain, France, Italy, Greece, Poland, Roumania, the Serb-Croat-Slovene State and Czecho-Slovakia. This composition of the Section shall in no way prejudge the admissibility of any claims. In voting, the representatives of the United States of America, Great Britain, France and Italy shall each have two votes.

The representatives of the five remaining Powers mentioned above shall appoint a Delegate to represent them all, who shall sit upon the Reparation

Commission in the circumstances described in paragraph 2 of the present Annex. This delegate, who shall be appointed for one year, shall be chosen successively from the nationals of each of the said five Powers.

4.

In the case of death, resignation, or recall of any Delegate, Assistant Delegate or Assessor, a successor to him shall be nominated as soon as possible.

5.

The Commission shall have its principal permanent bureau in Paris, and shall hold its first meeting in Paris as soon as practicable after the coming into force of the present Treaty, and thereafter will meet in such place or places and at such time as may be deemed convenient and as may be necessary for the most expeditious discharge of its duties.

6.

At its first meeting the Commission shall elect from among the Delegates referred to above a Chairman and a Vice-Chairman, who shall hold office for a year and shall be eligible for re-election. If a vacancy in the chairmanship or vice-chairmanship should occur during the annual period, the Commission shall proceed to a new election for the remainder of the said period.

7.

The Commission is authorised to appoint all necessary officers, agents and employees who may be required for the execution of its functions, and to fix their remuneration; to constitute sections or Committees, whose members need not necessarily be members of the Commission, and to take all executive steps necessary for the purpose of discharging its duties; and to delegate authority and discretion to officers, agents, Sections and Committees.

8.

All the proceedings of the Commission shall be private unless on particular occasions the Commission shall otherwise determine for special reasons.

9.

The Commission shall be required, if the Austrian Government so desire, to hear within a period which it will fix from time to time evidence and arguments on the part of Austria on any questions connected with her capacity to pay.

10.

The Commission shall consider the claims and give to the Austrian Government a just opportunity to be heard, but not to take any part whatever in the decisions of the Commission. The Commission shall afford a similar opportunity to the allies of Austria when it shall consider that their interests are in question.

11.

The Commission shall not be bound by any particular code or rules of law or by any particular rule of evidence or of procedure, but shall be guided by justice, equity and good faith. Its decisions must follow the same principles and rules in all cases where they are applicable. It will establish rules relating to methods of proof of claims. It may act on any trustworthy modes of computation.

12.

The Commission shall have all the powers conferred upon it and shall exercise all the functions assigned to it by the present Treaty.

The Commission shall, in general, have wide latitude as to its control and handling of the whole reparation problem as dealt with in this Part, and shall have authority to interpret its provisions. Subject to the provisions of the present Treaty, the Commission is constituted by the several Allied and Associated Governments referred to in paragraphs 2 and 3 above as the exclusive agency of the said Governments respectively for receiving, selling, holding and distributing the reparation payments to be made by Austria. The Commission must comply with the following conditions and provisions:

(a) Whatever part of the full amount of the proved claims is not paid in gold or in ships, securities, commodities or otherwise, Austria shall be required, under such conditions as the Commission may determine, to cover by way of guarantee, by an equivalent issue of bonds, obligations or otherwise, in order to constitute an acknowledgement of the said part of the debt.

(b) In periodically estimating Austria's capacity to pay the Commission shall examine the Austrian system of taxation; first, to the end that the sums for reparation which Austria is required to pay shall become a charge upon all her revenues prior to that for the service or discharge of any domestic loan, and, secondly, so as to satisfy itself that in general the Austrian scheme of taxation is fully as heavy proportionately as that of any of the Powers represented on the Commission.

The Reparation Commisssion shall receive instructions to take account of:

(1) The actual economic and financial position of Austrian territory as delimited by the present Treaty; and

(2) The diminution of its resources and of its capacity for payment resulting from the clauses of the present Treaty.

As long as the position of Austria is not modified the Commission shall take account of these considerations in fixing the final amount of the obligations to be imposed on Austria, the payments by which these are to be discharged, and any postponement of payment of interest which may be asked for by Austria.

(c) The Commission shall, as provided in Article 181, take from Austria, by way of security for and acknowledgment of her debt, gold bearer bonds free of all taxes or charges of every description established or to be established by the Austrian Government or by any authorities subject to them. These bonds will be delivered at any time that may be judged expedient by the Commission, and in three portions, of which the respective amounts will be also fixed by the Commission, the crowns gold being payable in conformity with Article 213 of Part IX (Financial Clauses) of the present Treaty:

(1) A first issue in bearer bonds payable not later than May 1, 1921, without interest. There shall be specially applied to the amortisation of these bonds the payments which Austria is pledged to make in conformity with Article 181 of this Part, after deduction of the sums used for the reimbursement of the expenses of the armies of occupation and other payments for foodstuffs and raw materials. Such bonds as may not have been redeemed by May 1, 1921, shall then be exchanged for new bonds of the same type as those provided for below (paragraph 12, (c) 2).

(2) A second issue in bearer bonds bearing interest at 2½ per cent. between 1921 and 1926, and thereafter at 5 per cent. with an additionnal 1 per cent. for amortisation beginning in 1926 on the whole amount of the issue.

(3) An undertaking in writing to issue, when, but not until, the Commission is satisfied that Austria can meet the interest and sinking fund obligations, a further instalment of bearer bonds bearing interest at 5 per cent., the time and mode of payment of principal and interest to be determined by the Commission.

The dates for the payment of interest, the manner of employing the amortisation fund and all other questions relating to the issue, management and regulation of the bond issue shall be determined by the Commission from time to time.

Further issues by way of acknowledgment and security may be required as the Commission subsequently determines from time to time.

In case the Reparation Commission should proceed to fix definitely and no longer provisionally the sum of the common charges to be borne by Austria as a result of the claims of the Allied and Associated Powers, the Commission shall immediately annul all bonds which may been issued in excess of this sum.

(*d*) In the event of bonds, obligations or other evidence of indebtedness issued by Austria by way of security for or acknowledgment of her reparation debt being disposed of outright, not by way of pledge, to persons other than the several Governments in whose favour Austria's original reparation indebtedness was created, an amount of such reparation indebtedness shall be deemed to be extinguished corresponding to the nominal value of the bonds, etc., so disposed of outright, and the obligation of Austria in respect of such bonds shall be confined to her liabilities to the holders of the bonds, as expressed upon their face.

(*e*) The damage for repairing, reconstructing and rebuilding property situated in the invaded and devastated districts, including re-installation of furniture, machinery and other equipment, will be calculated according to the cost at the date when the work is done.

(*f*) Decisions of the Commission relating to the total or partial cancellation of the capital or interest of any of the verified debt of Austria must be accompanied by a statement of its reasons.

13.

As to voting the Commission will observe the following rules:

When a decision of the Commission is taken, the votes of all the Delegates entitled to vote, or in the absence of any of them, of their assistant Delegates, shall be recorded. Abstention from voting is to be treated as a vote against the proposal under discussion. Assessors shall have no vote.

On the following questions unanimity is necessary:

(*a*) Questions involving the sovereignty of any of the Allied and Associated Powers or the cancellation of the whole or any part of the debt or obligations of Austria;

(*b*) Questions of determining the amount and conditions of bonds or other obligations to be issued by the Austrian Government and of fixing the time and manner for selling, negotiating or distributing such bonds;

(*c*) Any postponement, total or partial, beyond the end of 1930, of the payment of instalments falling due between May 1, 1921, and the end of 1926 inclusive.

(*d*) Any postponement, total or partial, of any instalments falling due after 1926 for a period exceeding three years.

(*e*) Questions of applying in any particular case a method of measuring damages different from that which has been previously applied in a similar case.

(*f*) Questions of the interpretation of the provisions of this Part of the present Treaty.

All other questions shall be decided by the vote of the majority.

In the case of any difference of opinion among the Delegates, which cannot be solved by reference to their Governments, upon the question whether a given case is one which reqires a unanimous vote for its decision or not, such difference shall be referred to the immediate arbitration of some impartial person to be agreed upon by their Governments, whose award the Allied and Associated Governments agree to accept.

14.

Decisions of the Commission, in accordance with the powers conferred upon it, shall forthwith become binding and may be put into immediate execution without further proceedings.

15.

The Commission shall issue to each of the interested Powers in such form as the Commission shall fix:

(1) A certificate stating that it holds for the account of the said Power bonds of the issues mentioned above, the said certificate on the demand of the Power concerned being divisible into a number of parts not exceeding five;

(2) From time to time certificates stating the goods delivered by Austria on account of her reparation debt which it holds for the account of the said Power.

Such certificates shall be registered and, upon notice to the Commission, may be transferred by endorsement.

When bonds are issued for sale or negotiation, and when goods are delivered by the Commission, certificates to an equivalent value must be withdrawn.

16.

Interest shall be debited to Austria as from May 1, 1921, in respect of her debt as determined by the Commission after allowing for sums already covered by cash payments or their equivalent by bonds issued to the Commission or under Article 189. The rate of interest shall be 5 per cent. unless the Commission shall determine at some future time that circumstances justify a variation of this rate.

The Commission, in fixing on May 1, 1921, the total amount of the debt of Austria, may take account of interest due on sums arising out of reparation and of material damage as from November 11, 1918 up to May 1, 1921.

17.

In case of default by Austria in the performance of any obligations under this part of the present Treaty the Commission will forthwith give notice of such default to each of the interested Powers and may make such recommendations as to the action to be taken in consequence of such default as it may think necessary.

18.

The measures which the Allied and Associated Powers shall have the right to take, in the case of voluntary default by Austria, and which Austria agrees

not to regard as acts of war, may include economic and financial prohibitions and reprisals and in general such other measures as the respective Governments may determine to be necessary in the circumstances.

19.

Payments required to be made in gold or its equivalent on account of the proved claims of the Allied and Associated Powers may at any time be accepted by the Commission in the form of chattels, properties, commodities, businesses, rights, concessions within or without Austrian territory, ships, bonds, shares or securities of any kind or currencies of Austria or other States, the value of such substitutes for gold being fixed at a fair and just amount by the Commission itself.

20.

The Commission in fixing or accepting payment in specified properties or rights shall have due regard for any legal or equitable interests of the Allied and Associated Powers or of their nationals therein.

21.

No member of the Commission shall be responsible, except to the Government appointing him, for any action or omission as such member. No one of the Allied and Associated Governments assumes any responsibility in respect of any other Government.

22.

Subject to the provisions of the present Treaty this Annex may be amended by the unanimous decision of the Governments represented from time to time upon the Commission.

23.

When all of the amounts due from Austria and her allies under the present Treaty or the decisions of the Commission have been discharged, and all sums received, or their equivalents, have been distributed to the Powers interested, the Commission shall be dissolved.

ANNEX III.

1.

Austria recognises the right of the Allied and Associated Powers to the replacement ton for ton (gross tonnage) and class for class of all merchant ships and fishing boats lost or damaged owing to the war.

Nevertheless and in spite of the fact that the tonnage of Austrian shipping at present in existence is much less than that lost by the Allied and Associated Powers in consequence of the aggression of Austria and her allies, the right thus recognised will be enforced on the Austrian ships and boats under the following conditions:

The Austrian Government on behalf of themselves, and so as to bind all other persons interested, cede to the Allied and Associated Governments the property in all merchant ships and fishing boats belonging to nationals of the former Austrian Empire.

2.

The Austrian Government will, within two months of the coming into force of the present Treaty, deliver to the Reparation Commission all the ships and boats mentioned in paragraph 1.

3.

The ships and boats in paragraph 1 include all ships and boats which (*a*) fly or may be entitled to fly the Austro-Hungarian merchant flag and are registered in a port of the former Austrian Empire, or (*b*) are owned by any national, company or corporation of the former Austrian Empire or by any company or corporation belonging to a country other than an Allied or Associated country and under the control or direction of nationals of the former Austrian Empire: or (*c*) which are now under construction (1) in the former Austrian Empire (2) in other than Allied or Associated countries for the account of any national company or corporation of the former Austrian Empire.

4.

For the purpose of providing documents of title for the ships and boats to be handed over as above mentioned, the Austrian Government will:

(*a*) Deliver to the Reparation Commission in respect of each vessel a bill of sale or other document of title evidencing the transfer to the Commission of the entire property in the vessel, free from all encumbrances, charges and liens of all kinds as the Commission may require;

(*b*) Take all measures that may be indicated by the Reparation Commission for ensuring that the ships themselves shall be placed at its disposal.

5.

Austria undertakes to restore in kind and in normal condition of upkeep to the Allied and Associated Powers within two months of the coming into force of the present Treaty in accordance with procedure to be laid down by the Reparation Commission any boats and other movable appliances belonging to inland navigation which, since July 28, 1914, have by any means whatever come into her possession or into the possession of her nationals and which can be identified.

With a view to make good the loss in inland navigation tonnage from whatever cause arising which has been incurred during the war by the Allied and Associated Powers, and which cannot be made good by means of the restitution prescribed above, Austria agrees to cede to the Reparation Commission a portion of the Austrian river fleet up to the amount of the loss mentioned above, provided such cession shall not exceed 20 per cent. of the river fleet as it existed on November 3, 1918.

The conditions of this cession shall be settled by the arbitrators referred to in Article 300 of Part XII (Ports, Waterways and Railways) of the present Treaty, who are charged with the settlement of difficulties relating to the apportionment of river tonnage resulting from the new international régime applicable to certain river systems or from the territorial changes affecting those systems.

6.

Austria agrees to take any measures that may be indicated to her by the Reparation Commission for obtaining a full title to the property in all ships which have, during the war, been transferred or are in process of transfer to neutral flags without the consent of the Allied and Associated Governments.

7.

Austria waives all claims of any description against the Allied and Associated Governments and their nationals in respect to the detention, employment, loss or damage of any Austrian ships or boats.

8.

Austria renounces all claims to vessels or cargoes sunk by or in consequence of naval action and subsequently salved in which any of the Allied or Associated Governments or their nationals may have any interest either as owners, charterers, insurers, or otherwise, notwithstanding any decree of condemnation which may have been made by a Prize Court of the former Austro-Hungarian Monarchy or of its allies.

ANNEX IV.

1.

The Allied and Associated Powers require and Austria undertakes that in part satisfaction of her obligations expressed in this Part she will, as hereinafter provided, devote her economic resources directly to the physical restoration of the invaded areas of the Allied and Associated Powers to the extent that these Powers may determine.

2.

The Allied and Associated Governments may file with the Reparation Commission lists showing:

(*a*) Animals, machinery, equipment, tools and like articles of a commercial character which have been seized, consumed or destroyed by Austria, or destroyed in direct consequence of military operations, and which such Govern-

ments, for the purpose of meeting immediate and urgent needs, desire to have replaced by animals and articles of the same nature which are in being in Austrian territory at the date of the coming into force of the present Treaty;

(*b*) Reconstruction materials (stones, bricks, refractory bricks, tiles, wood, window glass, steel, lime, cement, etc.), machinery, heating apparatus, furniture and like articles of a commercial character, which the said Governments desire to have produced and manufactured in Austria and delivered to them to permit of the restoration of the invaded areas.

3.

The lists relating to the articles mentioned in 2 (*a*) above shall be filed within sixty days after the date of the coming into force of the present Treaty.

The lists relating to the articles in 2 (*b*) shall be filed on or before December 31, 1919.

The lists shall contain all such details as are customary in commercial contracts dealing with the subject-manner, including specifications, dates of delivery (but not extending over more than four years) and places of delivery, but not prices or value, which shall be fixed as hereinafter provided by the Commission.

4.

Immediately upon the filing of such lists with the Commission, the Commission shall consider the amount and number of the materials and animals mentioned in the lists provided for above which are to be required of Austria. In reaching a decision on this matter the Commission shall take into account such domestic requirements of Austria as it deems essential for the maintenance of Austrian social and economic life, the prices and dates at which similar articles can be obtained in the Allied and Associated countries as compared with those to be fixed for Austrian articles, and the general interest of the Allied and Associated Governments that the industrial life of Austria be not so disorganised as to affect adversely the ability of Austria to perform the other acts of reparation stipulated for.

Machinery, equipment, tools and like articles of a commercial character in actual industrial use are not, however, to be demanded of Austria unless there is no free stock of such articles respectively which is not in use and is available, and then not in excess of 30 per cent. of the quantity of such articles in use in any one establishment or undertaking.

The Commission shall give representatives of the Austrian Government an opportunity and a time to be heard as to their capacity to furnish the said materials, articles and animals.

The decision of the Commission shall thereupon and at the earliest possible moment be communicated to the Austrian Government and to the several interested Allied and Associated Governments.

The Austrian Government undertakes to deliver the materials, articles and animals as specified in the said communication, and the interested Allied and Associated Governments severally agree to accept the same, provided they conform to the specification given or are not, in the judgment of the Commission, unfit to be utilised in the work of reparation.

5.

The Commission shall determine the value to be attached to the materials, articles and animals to be delivered in accordance with the foregoing, and the Allied or Associated Power receiving the same agrees to be charged with such value, and the amount thereof shall be treated as a payment by Austria to be divided in accordance with Article 183 of this Part of the present Treaty.

In cases where the right to require physical restoration as above provided is exercised, the Commission shall ensure that the amount to be credited against the reparation obligations of Austria shall be fair value for work done or material supplied by Austria, and that the claim made by the interested Power in respect of the damage so repaired by physical restoration shall be discharged to the extent of the proportion which the damage thus repaired bears to the whole of the damage thus claimed for.

6.

As an immediate advance on account of the animals referred to in paragraph 2 above, Austria undertakes to deliver in equal monthly instalments in the three months following the coming into force of the present Treaty the following quantities of live stock:

TO THE ITALIAN GOVERNMENT.

4,000 milch cows of from 3 to 5 years;	1,000 calves;
1,000 heifers;	1,000 working bullocks;
50 bulls from 18 months to 3 years;	2,000 sows.

TO THE SERB-CROAT-SLOVENE GOVERNMENT.

1,000 milch cows of from 3 to 5 years;	500 working bullocks;
300 heifers;	1,000 draught horses;
25 bulls from 18 months to 3 years;	1,000 sheep.
1,000 calves;	

TO THE ROUMANIAN GOVERNMENT.

1,000 milch cows of from 3 to 5 years;	500 working bullocks;
500 heifers;	1,000 draught horses;
25 bulls from 18 months to 3 years;	1,000 sheep.
1,000 calves;	

The animals delivered shall be of average health and condition.

If the animals so delivered cannot be identified as animals taken away or seized, the value of such animals shall be credited against the reparation obligations of Austria in accordance with paragraph 5 of this Annex.

7.

As an immediate advance on account of the articles referred to in paragraph 2 above, Austria undertakes to deliver during the six months following the coming into force of the present Treaty in equal monthly instalments such supplies of furniture in hard and soft wood intended for sale in Austria as the Allied and Associated Powers shall ask for month by month through the Reparation Commission and which the Commission shall consider justified on the one

hand by the seizures and destruction carried out in the course of the war on the territory of the said Powers and on the other hand proportionate to the supplies at the disposal of Austria. The price of the articles so supplied shall be carried to the credit of Austria under the conditions provided for in paragraph 5 of this Annex.

ANNEX V.

1.

Austria shall give, as partial reparation, to the Allied and Associated Governments severally an option during the five years following the coming into force of the present Treaty for the annual delivery of the raw materials hereinafter enumerated: the amounts delivered to bear the same relation to their annual importations of these materials before the war from Austria-Hungary as the resources of Austria as now delimited by the present Treaty bear to the resources before the war of the former Austro-Hungarian Monarchy.

Timber and timber manufactures;

Iron and iron alloys;

Magnesite.

2.

The price paid for the products referred to in the preceding paragraph shall be the same as the price paid by Austrian nationals under the same conditions of shipment to the Austrian frontier and shall be subject to any advantages which may be accorded similar products furnished to Austrian nationals.

3.

The foregoing options shall be exercised through the intervention of the Reparation Commission, which subject to the specific provisions hereof shall have power to determine all questions relative to procedure and qualities and quantities of products and the times and modes of delivery and payment. In giving notice to the Austrian Government of the foregoing options, the Commission shall give at least 120 days' notice of deliveries to be made after January 1, 1920, and at least 30 days' notice of deliveries to be made between the coming

into force of the present Treaty and January 1, 1920. If the Commission shall determine that the full exercise of the foregoing options would interfere unduly with the industrial requirements of Austria, the Commission is authorised to postpone or to cancel deliveries and in so doing to settle all questions of priority.

Annex VI.

Austria renounces on her own behalf and on behalf of her nationals in favour of Italy all rights, titles or privileges of whatever nature in any submarine cables or portions of cables connecting Italian territory, including the territories which are assigned to Italy under the present Treaty.

Austria also renounces on her own behalf and on behalf of her nationals in favour of the Principal Allied and Associated Powers all rights, titles and privileges of whatever nature in the submarine cables, or portions thereof, connecting the territories ceded by Austria under the terms of the present Treaty to the various Allied and Associated Powers.

The States concerned shall provide for the upkeep of the installations and the proper working of the said cables.

As regards the cable from Trieste to Corfu, the Italian Government shall enjoy in its relations with the company owning this cable the same position as that held by the Austro-Hungarian Government.

The value of the cables or portions of cables referred to in the two first paragraphs of the present Annex, calculated on the basis of the original cost, less a suitable allowance for depreciation, shall be credited to Austria in the reparation account.

Section II.—*Special Provisions.*

Article 191.

In carrying out the provisions of Article 184 of this Part Austria undertakes to surrender to each of the Allied and Associated Powers respectively all records, documents, objects of antiquity and of art, and all scientific and bibliographical material taken away from the invaded territories, whether they belong to the State or to provincial, communal, charitable or ecclesiastical administrations or other public or private institutions.

ARTICLE 192.

Austria shall in the same manner restore objects of the same nature as those referred to in the preceding Article which may have been taken away since June 1, 1914, from the ceded territories, with the exception of objects bought from private owners.

The Reparation Commission will apply to these objects the provisions of Article 208 of Part IX (Financial Clauses) of the present Treaty, if these are appropriate.

ARTICLE 193.

Austria will give up to each of the Allied and Associated Governments respectively all the records, documents and historical material possessed by public institutions which may have a direct bearing on the history of the ceded territories and which have been removed during the last ten years. This last-mentioned period, as far as concerns Italy, shall be extended to the date of the proclamation of the Kingdom (1861).

The new States arising out of the former Austro-Hungarian Monarchy and the States which receive part of the territory of that Monarchy undertake on their part to hand over to Austria the records, documents and material dating from a period not exceeding twenty years which have a direct bearing on the history or administration of the territory of Austria and which may be found in the territories transferred.

ARTICLE 194.

Austria acknowledges that she remains bound, as regards Italy, to execute the obligations referred to in Article 15 of the Treaty of Zurich of November 10, 1859, in Article 18 of the Treaty of Vienna of October 3, 1866, and in the Convention of Florence of July 14, 1868, concluded between Italy and Austria-Hungary, in so far as the Articles referred to have not in fact been executed in their entirety and in so far as the documents and objects in question are situated in the territory of Austria or her allies.

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Article 195.

Within a period of twelve months after the coming into force of the present Treaty a Committee of three jurists appointed by the Reparation Commission shall examine the conditions under which the objects or manuscripts in possession of Austria, enumerated in Annex I hereto, were carried off by the House of Hapsburg and by the other Houses which have reigned in Italy. If it is found that the said objects or manuscripts were carried off in violation of the rights of the Italian provinces the Reparation Commission, on the report of the Committee referred to, shall order their restitution. Italy and Austria agree to accept the decisions of the Commission.

Belgium, Poland and Czecho-Slovakia may also submit claims for restitution, to be examined by the same Committee of three jurists, relating to the objects and documents enumerated in Annexes II, III and IV hereto, Belgium, Poland, Czecho-Slovakia and Austria undertake to accept the decisions taken by the Reparation Commission as the result of the report of the said Committee.

Article 196.

With regard to all objects of artistic, archæological, scientific or historic character forming part of collections which formerly belonged to the Government or the Crown of the Austro-Hungarian Monarchy and are not otherwise provided for in this present Treaty, Austria undertakes:

(*a*) to negotiate, when required, with the States concerned for an amicable arrangement whereby any portion thereof or any objects belonging thereto which ought to form part of the intellectual patrimony of the ceded districts may be returned to their districts of origin on terms of reciprocity, and

(*b*) for twenty years, unless a special arrangement is previously arrived at, not to alienate or disperse any of the said collections or to dispose of any of the above objects but at all times to ensure their safety and good condition and to make them available, together with inventories, catalogues and administrative documents relating to the said collections, at all reasonable times to students who are nationals of any of the Allied and Associated Powers.

ANNEX I.

TUSCANY.

The Crown jewels (such part as remains after their dispersion); the private jewels of the Princess Electress of Medici; the medals which form part of the Medici heirlooms and other precious objects—all being domanial property according to contractual agreements and testamentary dispositions—removed to Vienna during the eighteenth century.

Furniture and silver plate belonging to the House of Medici and the "jewel of Aspasios" in payment of debts owed by the House of Austria to the Crown of Tuscany.

The ancient instruments of astronomy and physics belonging to the Academy of Cimento removed by the House of Lorraine and sent as a present to the cousins of the Imperial House of Vienna.

MODENA.

A "Virgin" by Andrea del Sarto and four drawings by Correggio belonging to the Pinacothek of Modena and removed in 1859 by Duke Francis V.

The three following MSS. belonging to the library of Modena:

Biblia vulgata (Cod. Lat. 422–23),

Brevarium Romanum (Cod. Lat. 424) and

Officium Beatæ Virginis (Cod. Lat. 262),

carried off by Duke Francis V in 1859.

The bronzes carried off under the same circumstances in 1859.

Certain objects (among others two pictures by Salvator Rosa and a portrait by Dosso Dossi) claimed by the Duke of Modena in 1868 as a condition of the execution of the Convention of June 20, 1868, and other objects given up in 1872 in the same circumstances.

PALERMO.

Objects made in Palermo in the twelfth century for the Norman kings and employed in the coronation of the Emperors, which were carried off from Palermo and are now in Vienna.

NAPLES.

Ninety-eight MSS. carried off from the Library of S. Giovanni a Carbonara and other libraries at Naples in 1718 under the orders of Austria and sent to Vienna.

Various documents carried off at different times from the State Archives of Milan, Mantua, Vienna, Modena and Florence.

Annex II.

I. The Triptych of S. Ildephonse, by Rubens, from the Abbey of Saint-Jacques sur Cowdenberg at Brussels, bought in 1777 and removed to Vienna.

II. Objects and documents removed for safety from Belgium to Austria in 1794:

(*a*) Arms, armour and other objects from the old Arsenal of Brussels.

(*b*) The Treasure of the "Toison d'or" preserved in previous times in the "Chapelle de la Cour" at Brussels.

(*c*) Coinage, stamps, medals, and counters by Theodore van Berckel which were an essential feature in the archives of the "Chambre des Comptes" at Brussels.

(*d*) The original manuscript copies of the "carte chorographique" of the Austrian Low Countries drawn up by Lieut.-General Comte Jas de Ferraris between 1770 and 1777, and the documents relating thereto.

Annex III.

Object removed from the territory forming part of Poland subsequent to the first partition in 1772:

The gold cup of King Ladislás IV, No. 1,114 of the Court Museum at Vienna.

Annex IV.

(1) Documents, historical memoirs, manuscripts, maps, etc., claimed by the present State of Czecho-Slovakia, which Thaulow von Rosenthal removed by order of Maria Theresa.

(2) The documents originally belonging to the Royal Aulic Chancellory of Bohemia and the Aulic Chamber of Accounts of Bohemia, and the works of art which formed part of the installation of the Royal Chateau of Prague and other royal castles in Bohemia, which were removed by the Emperors Mathias, Ferdinand II, Charles VI (about 1718, 1723 and 1737) and Francis Joseph I; all of which are now in the archives, Imperial castles, museums and other central public institutions at Vienna.

PART IX.

FINANCIAL CLAUSES.

ARTICLE 197.

Subject to such exceptions as the Reparation Commission may make, the first charge upon all the assets and revenues of Austria shall be the cost of reparation and all other costs arising under the present Treaty or any treaties or agreements supplementary thereto, or under arrangements concluded between Austria and the Allied and Associated Powers during the Armistice signed on November 3, 1918.

Up to May 1, 1921, the Austrian Government shall not export or dispose of, and shall forbid the export or disposal of, gold without the previous approval of the Allied and Associated Powers acting through the Reparation Commission.

ARTICLE 198.

There shall be paid by the Government of Austria the total cost of all armies of the Allied and Associated Governments occupying territory within the boundaries of Austria as defined by the present Treaty from the date of the signature of the Armistice of November 3, 1918, including the keep of men and beasts, lodging and billeting, pay and allowances, salaries and wages, bedding, heating, lighting, clothing, equipment, harness and saddlery, armament and rolling-stock, air services, treatment of sick and wounded, veterinary and remount services, transport services of all sorts (such as by rail, sea, or river, motor-lorries), communications and correspondence, and, in general, the cost of all administrative or technical services the working of which is necessary for the training of troops and for keeping their numbers up to strength and preserving their military efficiency.

The cost of such liabilities under the above heads, so far as they relate to purchases or requisitions by the Allied and Associated Governments in the occupied territory, shall be paid by the Austrian Government to the Allied and Associated Governments in crowns or any legal currency of Austria which may be substituted for crowns at the current or agreed rate of exchange.

All other of the above costs shall be paid in the currency of the country to which the payment is due.

ARTICLE 199.

Austria confirms the surrender of all material handed over or to be handed over to the Allied and Associated Powers in accordance with the Armistice of November 3, 1918, and subsequent Armistice Agreements, and recognises the title of the Allied and Associated Powers to such material.

There shall be credited to the Government of Austria, against the sums due from it to the Allied and Associated Powers for reparation, the value, as assessed by the Reparation Commission, of such of the above material for which, as having nonmilitary value, credit should, in the judgment of the Reparation Commission, be allowed to the Government of Austria.

Property belonging to the Allied and Associated Governments or their nationals restored or surrendered under the Armistice Agreements in specie shall not be credited to the Government of Austria.

ARTICLE 200.

The priority of the charges established by Article 197 shall, subject to the qualifications made in the last paragraph of this Article, be as follows:

(*a*) The cost of the armies of occupation, as defined under Article 198, during the Armistice;

(*b*) The cost of any armies of occupation, as defined under Article 198, after the coming into force of the present Treaty;

(*c*) The cost of reparation arising out of the present Treaty or any treaties or conventions supplementary thereto;

(*d*) The cost of all other obligations incumbent on Austria under the Armistice Conventions or under this Treaty or any treaties or conventions supplementary thereto.

The payment for such supplies of food and raw material for Austria and such other payments as may be judged by the Principal Allied and Associated Powers to be essential to enable Austria to meet her obligations in respect of reparation shall have priority to the extent and upon the conditions which have been or may be determined by the Governments of the said Powers.

ARTICLE 201.

The right of each of the Allied and Associated Powers to dispose of enemy assets and property within its jurisdiction at the date of the coming into force of the present Treaty is not affected by the foregoing provisions.

ARTICLE 202.

Nothing in the foregoing provisions shall prejudice in any manner charges or mortgages lawfully effected in favour of the Allied and Associated Powers or their nationals respectively before the date at which a state of war existed between Austria-Hungary and the Allied or Associated Power concerned by the former Austrian Government or by nationals of the former Austrian Empire on assets in their ownership at that date, except in so far as variations of such charges or mortgages are specifically provided for under the terms of the present Treaty or conventions supplementary thereto.

ARTICLE 203.

1. Each of the States to which territory of the former Austro-Hungarian Monarchy is transferred, and each of the States arising from the dismemberment of that Monarchy, including Austria, shall assume responsibility for a portion of the debt of the former Austrian Government which is specifically secured on railways, salt mines or other property, and which was in existence on July 28, 1914. The portion to be so assumed by each State shall be such portion as in the opinion of the Reparation Commission represents the secured debt in respect of the railways, salt mines, and other properties transferred to that State under the terms of this Treaty or conventions supplementary thereto.

The amount of the liability in respect of secured debt so assumed by each State, other than Austria, shall be valued by the Reparation Commission, on such basis as the Commission may consider equitable, and the value so ascer-

tained shall be deducted from the amount payable by the State in question to Austria in respect of property of the former or existing Austrian Government which the State acquires with the territory. Each State shall be solely responsible in respect of that portion of the secured debt for which it assumes responsibility under the terms of this Article, and holders of the debt for which responsibility is assumed by States other than Austria shall have no recourse against the Government of any other State.

Any property which was specifically pledged to secure any debt referred to in this Article shall remain specifically pledged to secure the new debt. But in case the property so pledged is situated as the result of the present Treaty in more than one State, that portion of the property which is situated in a particular State shall constitute the security only for that part of the debt which is apportioned to that State, and not for any other part of the debt.

For the purposes of the present Article there shall be regarded as secured debt payments due by the former Austrian Government in connection with the purchase of railways or similar property; the distribution of the liability for such payments will be determined by the Reparation Commission in the same manner as in the case of secured debt.

Debts for which the responsibility is transferred under the terms of this Article shall be expressed in terms of the currency of the State assuming the responsibility, if the original debt was expressed in terms of Austro-Hungarian paper currency. For the purposes of this conversion the currency of the assuming State shall be valued in terms of Austro-Hungarian paper kronen at the rate at which those kronen were exchanged into the currency of the assuming State by that State when it first substituted its own currency for Austro-Hungarian kronen. The basis of this conversion of the currency unit in which the bonds are expressed shall be subject to the approval of the Reparation Commission, which shall, if it thinks fit, require the State effecting the conversion to modify the terms thereof. Such modification shall only be required if, in the opinion of the Commission, the foreign exchange value of the currency unit or units substituted for the currency unit in which the old bonds are expressed is substantially less at the date of the conversion than the foreign exchange value of the original currency unit.

If the original Austrian debt was expressed in terms of a foreign currency or foreign currencies, the new debt shall be expressed in terms of the same currency or currencies.

If the original Austrian debt was expressed in terms of Austro-Hungarian gold coin, the new debt shall be expressed in terms of equivalent amounts of pounds sterling and gold dollars of the United States of America, the equivalents being calculated on the basis of the weight and the fineness of gold of the three coins as enacted by law on January 1, 1914.

Any foreign exchange options, whether at fixed rates or otherwise, embodied explicitly or implicitly in the old bonds shall be embodied in the new bonds also.

2. Each of the States to which territory of the former Austro-Hungarian Monarchy is transferred, and each of the States arising from the dismemberment of that Monarchy, including Austria, shall assume responsibility for a portion of the unsecured bonded debt of the former Austrian Government which was in existence on July 28, 1914, calculated on the basis of the ratio between the average for the three financial years 1911, 1912, 1913, of such revenues of the distributed territory and the average for the same years of such revenues of the whole of the former Austrian territories as in the judgment of the Reparation Commission are best calculated to represent the financial capacity of the respective territories. In making the above calculation, the revenues of Bosnia and Herzegovia shall not be included.

The responsibilities in respect of bonded debt to be assumed under the terms of this Article shall be discharged in the manner laid down in the Annex hereto.

The Austrian Government shall be solely responsible for all the liabilities of the former Austrian Government incurred prior to July 28, 1914, other than those evidenced by the bonds, bills, securities and currency notes which are specifically provided for under the terms of the present Treaty.

Neither the provisions of this Article nor the provisions of the Annex hereto shall apply to securities of the former Austrian Government deposited with the Austro-Hungarian Bank as security for the currency notes issued by that bank.

ANNEX.

The amount of the former unsecured Austrian Government Bonded Debt, the responsibility for which is to be distributed under the provisions of Article 203, shall be the amount that debt as it stood on July 28, 1914, after deducting that portion which represents of the liability of the former Hungarian Government for that debt as provided by the additional Convention relating to the contribution of the countries of the Sacred Hungarian Crown to the charges of the general debt of the Austro-Hungarian State approved by the Austro-Hungarian Law of December 30, 1907, B. L. I. No. 278.

Each State assuming responsibility for the old unsecured Austrian Government debt shall, within three months of the coming into force of the present Treaty, if it has not already done so, stamp with the stamp of its own Government all the Bonds of that debt existing in its own territory. The distinguishing numbers of the Bonds so stamped shall be recorded and shall be furnished, together with the other records of the stamping, to the Reparation Commission.

Holders of Bonds within the territory of a State which is required to stamp old Austrian Bonds under the terms of this Annex shall, from the date of the coming into force of the present Treaty, be creditors in respect of these Bonds of that State only, and they shall have no recourse against the Government of any other State.

Each State which, under the terms of Article 203, is required to assume responsibility for a portion of the old unsecured Austrian Government Debt, and which has ascertained by means of stamping the old Austrian Bonds that the Bonds of any particular issue of such old Austrian Bonds held within its territory were smaller in amount than the amount of that issue for which, in accordance with the assessment of the Reparation Commission, it is held responsible, shall deliver to the Reparation Commission new Bonds equal in amount to the difference between the amount of the issue for which it is responsible and the amount of the same issue recorded as held within its own territory. Such new Bonds shall be of such denominations as the Reparation Commission may require. They shall carry the same rights as regards

interest and amortisation as the old Bonds for which they are substituted, and in all other respects the conditions of the new Bonds shall be fixed subject to the approval of the Reparation Commission.

If the original Bond was expressed in terms of Austro-Hungarian paper currency, the new Bonds by which it is replaced shall be expressed in terms of the currency of the State issuing the new Bond, and for the purpose of this currency conversion, the currency of the new State shall be valued in terms of Austro-Hungarian paper kronen at the rate at which those kronen were exchanged for the currency of the new State by that State when it first substituted its own currency for Austro-Hungarian paper kronen. The basis of this conversion of the currency unit in which the Bonds are expressed shall be subject to the approval of the Reparation Commission, which shall, if it thinks fit, require the State effecting the conversion to modify the terms thereof. Such modification shall only be required if, in the opinion of the Commission, the foreign exchange value of the currency unit or units substituted for the currency unit in which the old Bonds are expressed is substantially less at the date of the conversion than the foreign exchange value of the original currency unit.

If the original Bond was expressed in terms of a foreign currency or foreign currencies, the new Bond shall be expressed in terms of the same currency or currencies. If the original Bond was expressed in terms of Austro-Hungarian gold coin, the new Bond shall be expressed in terms of equivalent amounts of pounds sterling and gold dollars of the United States of America, the equivalents being calculated on the basis of the weight and fineness of gold of the three coins as enacted by law on January 1, 1914.

Any foreign exchange options, whether at fixed rates or otherwise, embodied explicitly or implicitly in the old Bonds shall be embodied in the new Bonds also.

Each State which under the terms of Article 203 is required to assume responsibility for a portion of the old unsecured Austrian Government Debt, which has ascertained by means of stamping the old Austrian Bonds that the Bonds of any particular issue of such old Austrian Bonds held within its territory were larger in amount than the amount of that issue for which it is

held responsible in accordance with the assessment of the Reparation Commission, shall receive from the Reparation Commission its due proportionate share of each of the new issues of Bonds issued in accordance with the provisions of this Annex.

Holders of unsecured Bonds of the old Austrian Government Debt held outside the boundaries of the States to which territory of the former Austro-Hungarian Monarchy is transferred, or of States arising from the dismemberment of that Monarchy, including Austria, shall deliver through the agency of their respective Governments to the Reparation Commission the Bonds which they hold, and in exchange therefor the Reparation Commission shall deliver to them certificates entitling them to their due proportionate share of each of the new issues of Bonds corresponding to and issued in exchange for their surrendered Bonds under the provisions of this Annex.

The share of each State or private holder entitled to a share in any new issue of Bonds issued in accordance with the provisions of this Annex shall bear such proportion to the total amount of Bonds of that new issue as the holding of the State or private owner in question of the old issue of Bonds bears to the total amount of the old issue presented to the Reparation Commission for exchange into new Bonds in accordance with the provisions of this Annex. Each such participating State or private holder will also be entitled to its or his due proportionate share of the new Bonds issued under the terms of the Treaty with Hungary in exchange for that portion of the former Austrian Government Debt for which Hungary accepted liability under the Agreement of 1907.

The Reparation Commission shall, if it think fit, arrange with the holders of the new Bonds provided for by this Annex a consolidation loan of each debtor State, the Bonds of which loan shall be substituted for the various different issues of new Bonds on such terms as may be agreed upon by the Commission and the bondholders.

The State assuming liability for any Bond of the former Austrian Government shall assume any liability attaching to the Bond in respect of unpaid coupons or sinking fund instalments accrued since the date of the coming into force of the present Treaty.

ARTICLE 204.

1. In case the new boundaries of any States, as laid down by the present Treaty, shall divide any local area which was a single unit for borrowing purposes and which had a legally constituted public debt, such debt shall be divided between the new divisions of the area in a proportion to be determined by the Reparation Commission in accordance with the principles laid down for the reapportionment of Government Debts under Article 203, and the responsibility so assumed shall be discharged in such a manner as the Reparation Commission shall determine.

2. The public debt of Bosnia and Herzegovina shall be regarded as the debt of a local area and not as part of the public debt of the former Austro-Hungarian Monarchy.

ARTICLE 205.

Within two months of the coming into force of the present Treaty, each one of the States to which territory of the former Austro-Hungarian Monarchy is transferred and each one of the States arising from the dismemberment of that Monarchy, including Austria, shall, if it has not already done so, stamp with the stamp of its own Government the securities of various kinds which are separately provided for, representing the bonded war debt of the former Austrian Government as legally constituted prior to October 27, 1918, and existing in their respective territories.

The securities thus stamped shall be withdrawn and replaced by certificates, their distinguishing numbers shall be recorded, and any securities withdrawn, together with the documents recording the transaction, shall be sent to the Reparation Commission.

The stamping and replacement of a security by a certificate under the provisions of this Article shall not imply that the State so stamping and replacing a security thereby assumes or recognizes any obligation in respect of it, unless the State in question desires that the stamping and replacement should have this implication.

The aforementioned States, with the exception of Austria, shall be free from any obligation in respect of the war debt of the former Austrian Govern-

ment, wherever that debt may be held, but neither the Governments of those States nor their nationals shall have recourse under any circumstances whatever against any other States including Austria in respect of the war debt bonds of which they or their nationals are the beneficial owners.

The war debt of the former Austrian Government which was prior to the signature of the present Treaty in the beneficial ownership of nationals or Governments of States other than those to which territory of the former Austro-Hungarian Monarchy is assigned shall be a charge upon the Government of Austria only, and no one of the other States afore-mentioned shall be held responsible for any part thereof.

The provisions of this Article shall not apply to the securities of the former Austrian Government deposited by that Government with the Austro-Hungarian Bank as security for the currency notes of the said bank.

The existing Austrian Government shall be solely responsible for all the liabilities of the former Austrian Government incurred during the war, other than those evidenced by the bonds, bills, securities and currency notes which are specifically provided for under the terms of the present Treaty.

ARTICLE 206.

1. Within two months of the coming into force of the present Treaty, each one of the States to which territory of the former Austro-Hungarian Monarchy is transferred, and each one of the States arising from the dismemberment of that Monarchy, including Austria and the present Hungary, shall, if it has not already done so, stamp with the stamp of its own Government the currency notes of the Austro-Hungarian Bank existing in its territory.

2. Within twelve months of the coming into force of the present Treaty, each one of the States to which territory of the former Austro-Hungarian Monarchy is transferred, and each one of the States arising from the dismemberment of that Monarchy, including Austria and the present Hungary, shall replace, as it may think fit, the stamped notes referred to above by its own or a new currency.

3. The Governments of such States as have already converted the currency notes of the Austro-Hungarian Bank by stamping or by the issue of their own

or a new currency, and in carrying out this operation have withdrawn, without stamping them, a portion or all of the currency notes circulating in their territory, shall either stamp the notes so withdrawn or hold them at the disposal of the Reparation Commission.

4. Within fourteen months of the coming into force of the present Treaty, those Governments which have replaced notes of the bank by their own or new currency, in accordance with the provisions of this Article, shall transfer to the Reparation Commission all the notes, stamped or unstamped, of the bank which have been withdrawn in the course of this replacement.

5. All notes transferred to the Reparation Commission under the provisions of this Article shall be dealt with by that Commission in accordance with the provisions of the Annex hereto.

6. The Austro-Hungarian Bank shall be liquidated as from the day succeeding the day of the signature of this Treaty.

7. The liquidation shall be conducted by receivers specially appointed for that purpose by the Reparation Commission. In conducting the liquidation of the bank, the receivers shall follow the rules laid down in the Statutes or other valid instruments regulating the constitution of the bank, subject however to the special provisions of this Article. In the case of any doubt arising as to the interpretation of the rules concerning the liquidation of the bank, whether laid down in these Articles and Annexes or in the Statutes of the bank, the decision of the Reparation Commission or any arbitrator appointed by it for that purpose shall be final.

8. The currency notes issued by the bank subsequent to October 27, 1918, shall have a claim on the securities issued by the Austrian and Hungarian Governments, both former and existing, and deposited with the bank by those Governments as security for these notes, but they shall not have a claim on any other assets of the bank.

9. The currency notes issued by the bank on or prior to October 27, 1918, (in so far as they are entitled to rank at all in conformity with these Articles), shall all rank equally as claims against all the assets of the bank, other than the Austrian and Hungarian Government securities deposited as security for the various note issues.

10. The securities deposited by the Austrian and Hungarian Governments, both former and existing, with the bank as security for the currency notes issued on or prior to October 27, 1918, shall be cancelled in so far as they represent the notes converted in the territory of the former Austro-Hungarian Monarchy as it existed on July 28, 1914, by States to which territory of that Monarchy is transferred or by States arising from the dismemberment of that Monarchy, including Austria and the present Hungary.

11. The remainder of the securities deposited by the Austrian and Hungarian Governments, both former and existing, with the bank as security for the currency notes issued on or prior to October 27, 1918, shall be retained in force as security for, and in so far as they represent, the notes issued on or prior to October 27, 1918, which on June 15, 1919, were outisde the limits of the former Austro-Hungarian Monarchy as it existed on July 28, 1914, that is to say, firstly, all notes of this description which are presented to the Reparation Commission in accordance with paragraph 4 of this Article, and secondly all notes of this description which may be held elsewhere and are presented to the receivers of the bank in accordance with the Annex hereto.

12. No claims on account of any other currency notes issued on or prior to October 27, 1918, shall rank either against the general assets of the bank or against the securities deposited by the Austrian and Hungarian Governments, both former and existing, as security for the notes, and any balance of such securities remaining after the amount of securities mentioned in paragraphs 10 and 11 has been calculated and deducted shall be cancelled.

13. All securities deposited by the Austrian and Hungarian Governments, both former and existing, with the bank as security for currency note issues and which are maintained in force shall be the obligations respectively of the Governments of Austria and the present Hungary only and not of any other States.

14. The holders of currency notes of the Austro-Hungarian Bank shall have no recourse against the Governments of Austria or the present Hungary or any other Government in respect of any loss which they may suffer as the result of the liquidation of the bank.

ANNEX.

1.

The respective Governments, when transmitting to the Reparation Commission all the currency notes of the Austro-Hungarian Bank withdrawn by them from circulation in accordance with the terms of Article 206, shall also deliver to the Commission all the records showing the nature and amounts of the conversions which they have effected.

2.

The Reparation Commission, after examining the records, shall deliver to the said Governments separate certificates stating the total amount of currency notes which the Governments have converted:

(*a*) within the limits of the former Austro-Hungarian Monarchy as they existed on July 28, 1914;

(*b*) elsewhere.

These certificates will entitle the bearer to lodge a claim with the receivers of the bank for currency notes thus converted which are entitled to share in the assets of the bank.

3.

After the liquidation of the bank is completed, the Reparation Commission shall destroy the notes thus withdrawn.

4.

No notes issued on or prior to October 27, 1918, wherever they may be held, will rank as claims against the bank unless they are presented through the Government of the country in which they are held.

ARTICLE 207.

Each one of the States to which territory of the former Austro-Hungarian Monarchy is transferred, and each one of the States arising from the dismemberment of that Monarchy, including Austria, shall deal as it thinks fit with the petty or token coinage of the former Austro-Hungarian Monarchy existing in its territory.

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No such State shall have any recourse under any circumstances, on behalf either of itself or of its nationals, against any other State with regard to such petty or token coinage.

ARTICLE 208.

States to which territory of the former Austro-Hungarian Monarchy is transferred and States arising from the dismemberment of that Monarchy shall acquire all property and possessions situated within their territories belonging to the former or existing Austrian Government.

For the purposes of this Article, the property and possessions of the former or existing Austrian Government shall be deemed to include the property of the former Austrian Empire and the interests of that Empire in the joint property of the Austro-Hungarian Monarchy, as well as all the property of the Crown, and the private property of members of the former Royal Family of Austria-Hungary.

These States shall, however, have no claim to any property of the former or existing Government of Austria situated outside their own respective territories.

The value of such property and possessions acquired by States other than Austria shall be fixed by the Reparation Commission and placed by that Commission to the credit of Austria and to the debit of the State acquiring such property on account of the sums due for reparation. The Reparation Commission shall deduct from the value of the public property thus acquired an amount proportionate to the contribution in money, land or material made directly by any province or commune or other autonomous local authority towards the cost of such property.

Without prejudice to Article 203 relating to secured Debt, in the case of each State acquiring property under the provisions of this Article, the amount placed to the credit of Austria and to the debit of the said State in accordance with the preceding paragraph shall be reduced by the value of the amount of the liability in respect of the unsecured Debt of the former Austrian Government assumed by that State under the provisions of Article 203 which, in the opinion of the Reparation Commission, represents expenditure upon the property so acquired. The value shall be fixed by the Reparation Commission on such basis as the Commission may consider equitable.

Property of the former and existing Austrian Governments shall be deemed to include a share of the real property in Bosnia-Herzegovina of all descriptions for which, under Article 5 of the Convention of February 26, 1909, the Government of the former Austro-Hungarian Monarchy paid £T. 2,500,000 to the Ottoman Government. Such share shall be proportionate to the share which the former Austrian Empire contributed to the above payment, and the value of this share, as assessed by the Reparation Commission, shall be credited to Austria on account of reparation.

As exception to the above there shall be transferred without payment:

(1) The property and possessions of provinces, communes and other local autonomous institutions of the former Austro-Hungarian Monarchy, including those in Bosnia-Herzegovina which did not belong to the former Austro-Hungarian Monarchy;

(2) Schools and hospitals the property of the former Austro-Hungarian Monarchy;

(3) Forests which belonged to the former Kingdom of Poland.

Further, any building or other property situated in the respective territories transferred to the States referred to in the first paragraph whose principal value lies in its historic interest and associations, and which formerly belonged to the Kingdom of Bohemia, the Kingdom of Poland, the Kingdom of Croatia-Slavonia-Dalmatia, Bosnia-Herzegovina, the Republic of Ragusa, the Venetian Republic or the Episcopal Principalities of Trient and Bressanone, may, subject to the approval of the Reparation Commission, be transferred to the Government entitled thereto without payment.

ARTICLE 209.

Austria renounces, so far as she is concerned, all rights accorded to her or her nationals by Treaties, Conventions or Agreements, of whatsoever kind, to representation upon or participation in the control or administration of Commissions, State Banks, Agencies or other financial or economic organisations of an international character exercising powers of control or administration and operating in any of the Allied or Associated States, or in Germany, Hungary, Bulgaria or Turkey, or in the dependencies of these States, or in the former Russian Empire.

ARTICLE 210.

1. The Austrian Government agrees to deliver within one month from the coming into force of the present Treaty to such authority as the Principal Allied and Associated Powers may designate the sum in gold deposited in the Austro-Hungarian Bank in the name of the Council of the Administration of the Ottoman Public Debt as security for the first issue of Turkish Government currency notes.

2. Without prejudice to Article 244 of Part X of the present Treaty, Austria renounces so far as she is concerned any benefit disclosed by the Treaties of Bucharest and Brest-Litvosk and by the Treaties supplementary thereto.

Austria undertakes to transfer either to Roumania or to the Principal Allied and Associated Powers, as the case may be, all monetary instruments, specie, securities and negotiable instruments or goods which she has received under the aforesaid Treaties.

3. The sums of money and all securities, instruments and goods, of whatsoever nature, to be delivered, paid or transferred under the provisions of this Article, shall be disposed of by the Principal Allied and Associated Powers in a manner hereafter to be determined by those Powers.

4. Austria recognises any transfer of gold provided for by Article 259 (5) of the Treaty of Peace concluded at Versailles on June 28, 1919, between the Allied and Associated Powers and Germany, and any transfer of claims provided for by Article 261 of that Treaty.

ARTICLE 211.

Without prejudice to the renunciation of any rights by Austria on behalf of herself or of her nationals in the other provisions of the present Treaty, the Reparation Commission may, within one year from the coming into force of the present Treaty, demand that Austria become possessed of any rights and interests of her nationals in any public utility undertaking or in any concession operating in Russia, Turkey, Germany, Hungary or Bulgaria, or in the possessions or dependencies of these States, or in any territory formerly belonging to Austria or her allies to be transferred by Austria or her allies to any State, or to be administered by a mandatory under any Treaty entered into with the Allied and Associ-

ated Powers, and may require that the Austrian Government transfer, within six months of the date of demand, to the Reparation Commission all such rights and interests and any similar rights and interests owned by the former or existing Austrian Government.

Austria shall be responsible for indemnifying her nationals so dispossessed, and the Reparation Commission shall credit Austria on account of sums due for reparation with such sums in respect of the value of the transferred rights and interests as may be assessed by the Reparation Commission, and the Austrian Government shall, within six months from the coming into force of the present Treaty, communicate to the Reparation Commission all such rights and interests, whether already granted, contingent or not yet exercised, and shall renounce on behalf of itself and its nationals in favour of the Allied and Associated Powers all such rights and interest which have not been so communicated.

ARTICLE 212.

The Austrian Government undertakes to refrain from preventing or impeding such acquisition by the German, Hungarian, Bulgarian or Turkish Governments of any rights and interests of German, Hungarian, Bulgarian or Turkish nationals in public utility undertakings or concessions operating in Austria as may be required by the Reparation Commission under the terms of the Treaties of Peace or supplementary Treaties or Conventions concluded between the Allied and Associated Powers and the German, Hungarian, Bulgarian or Turkish Governments respectively.

ARTICLE 213.

Austria undertakes to transfer to the Allied and Associated Powers all claims in favour of the former or existing Austrian Governments to payment or reparation by the Governments of Germany, Hungary, Bulgaria or Turkey, and in particular all claims which may arise now or hereafter in the fulfilment of undertakings made after July 28, 1914, until the coming into force of the present Treaty.

The value of such claims shall be assessed by the Reparation Commission, and shall be transferred to the Reparation Commission for the credit of Austria on account of the sums due for reparation.

ARTICLE 214.

Any monetary obligation arising out of the present Treaty and expressed in terms of gold kronen shall, unless some other arrangement is specifically provided for in any particular case under the terms of this Treaty or conventions supplementary thereto, be payable at the option of the creditors in pounds sterling payable in London, gold dollars of the United States of America payable in New York, gold francs payable in Paris, or gold lire payable in Rome.

For the purposes of this Article, the gold coins mentioned above shall be defined as being of the weight and fineness of gold as enacted by law on January 1, 1914.

ARTICLE 215.

Any financial adjustments, such as those relating to any banking and insurance companies, savings banks, postal savings banks, land banks, mortgage companies or other similar institutions, operating within the territory of the former Austro-Hungarian Monarchy, necessitated by the partition of that Monarchy and the resettlement of public debts and currency provided for by these Articles, shall be regulated by agreement between the various Governments concerned in such a manner as shall best secure equitable treatment to all the parties interested. In case the Governments concerned are unable to come to an agreement on any question arising out of this financial adjustment, or in case any Government is of opinion that its nationals have not received equitable treatment, the Reparation Commission shall, on the application of any one of the Governments concerned, appoint an arbitrator or arbitrators, whose decision shall be final.

ARTICLE 216.

The Government of Austria shall be under no liability in respect of civil or military pensions granted to nationals of the former Austrian Empire who have been recognized as nationals of other States or who become so under the provisions of the present Treaty.

PART X.

ECONOMIC CLAUSES.

SECTION I.—*Commercial relations.*

CHAPTER I.—CUSTOMS REGULATIONS, DUTIES AND RESTRICTIONS.

ARTICLE 217.

Austria undertakes that goods the produce or manufacture of any one of the Allied or Associated States imported into Austrian territory, from whatsoever place arriving, shall not be subjected to other or higher duties or charges (including internal charges) than those to which the like goods the produce or manufacture of any other such State or of any other foreign country are subject.

Austria will not maintain or impose any prohibition or restriction on the importation into Austrian territory of any goods the produce or manufacture of the territories of any one of the Allied or Associated States, from whatsoever place arriving, which shall not equally extend to the importation of the like goods the produce or manufacture of any other such State or of any other foreign country.

ARTICLE 218.

Austria further undertakes that, in the matter of the régime applicable on importation, no discrimination against the commerce of any of the Allied and Associated States as compared with any other of the said States or any other foreign country shall be made, even by indirect means, such as customs regulations or procedure, methods of verification or analysis, conditions of payment of duties, tariff classification or interpretation, or the operation monopolies.

ARTICLE 219.

In all that concerns exportation, Austria undertakes that goods, natural products or manufactured articles, exported from Austrian territory to the territories of any one of the Allied or Associated States, shall not be subjected to other or higher duties or charges (including internal charges) than those paid on the like goods exported to any other such State or to any other foreign country.

Austria will not maintain or impose any prohibition or restriction on the exportation of any goods sent from her territory to any one of the Allied or Associated States which shall not equally extend to the exportation of the like goods, natural products or manufactured articles, sent to any other such State or to any other foreign country.

ARTICLE 220.

Every favour, immunity, or privilege in regard to the importation, exportation or transit of goods granted by Austria to any Allied or Associated State or to any other foreign country whatever shall simultaneously and unconditionally, without request and without compensation, be extended to all the Allied and Associated States.

ARTICLE 221.

By way of exception to the provisions of Article 286 of Part XII (Ports, Waterways and Railways), products in transit by the ports which before the war were situated in territory of the former Austro-Hungarian Monarchy shall, for a period of three years from the coming into force of the present Treaty, enjoy on importation into Austria reductions of duty corresponding with and in proportion to those applied to such products under the Austro-Hungarian Customs Tariff of February 13, 1906, when imported by such ports.

ARTICLE 222.

Notwithstanding the provisions of Articles 217 to 220, the Allied and Associated Powers agree that they will not invoke these provisions to secure the advantage of any arrangements which may be made by the Austrian Government with the Governments of Hungary or of the Czecho-Slovak State for the accord of a special customs régime to certain natural or manufactured products which both originate in and come from those countries, and which shall be specified in the arrangements, provided that the duration of these arrangements does not exceed a period of five years from the coming into force of the present Treaty.

ARTICLE 223.

During the first six months after the coming into force of the present Treaty, the duties imposed by Austria on imports from Allied and Associated States shall not be higher than the most favourable duties which were applied to imports into the former Austro-Hungarian Monarchy on July 28, 1914.

During a further period of thirty months after the expiration of the first six months this provision shall continue to be applied exclusively with regard to the importation of fruits (fresh and dried), fresh vegetables, olive oil, eggs, pigs and pork products, and live poultry, in so far as such products enjoyed at the above mentioned date (July 28, 1914) rates conventionalised by Treaties with the Allied or Associated Powers.

ARTICLE 224.

(1) The Czecho-Slovak State and Poland undertake that for a period of fifteen years from the coming into force of the present Treaty they will not impose on the exportation to Austria of the products of coal mines in their territories any export duties or other charges or restrictions on exportation different from or more onerous than those imposed on such exportation to any other country.

(2) Special agreements shall be made between Poland and the Czecho-Slovak State and Austria as to the supply of coal and of raw materials reciprocally.

(3) Pending the conclusion of such agreements, but in no case during more than three years from the coming into force of the present Treaty, the Czecho-Slovak State and Poland undertake that no export duty or other restrictions of any kind shall be imposed on the export to Austria of coal or lignite up to a reasonable quantity to be fixed, failing agreement between the States concerned, by the Reparation Commission. In fixing this quantity the Reparation Commission shall take into account all the circumstances, including the quantities both of coal and of lignite supplied before the war to present Austrian territory from Upper Silesia and from the territory of the former Austrian Empire transferred to the Czecho-Slovak State and Poland in accordance with the present Treaty, and the quantities now available for export from those countries.

Austria shall in return furnish to the Czecho-Slovak State and Poland supplies of the raw materials referred to in paragraph (2) in accordance with the decisions of the Reparation Commission.

(4) The Czecho-Slovak State and Poland further undertake during the same period to take such steps as may be necessary to ensure that any such products shall be available for sale to purchasers in Austria on terms as favourable as are applicable to like products sold under similar conditions to purchasers in the Czecho-Slovak State or Poland respectively or in any other country.

(5) In case of disagreement in the execution or interpretation of any of the above provisions the Reparation Commission shall decide.

CHAPTER II.—SHIPPING.

ARTICLE 225.

The High Contracting Parties agree to recognise the flag flown by the vessels of any Contracting Party having no sea-coast, which are registered at some one specified place situated in its territory; such place shall serve as the port of registry of such vessels.

CHAPTER III.—UNFAIR COMPETITION.

ARTICLE 226.

Austria undertakes to adopt all the necessary legislative and administrative measures to protect goods the produce or manufacture of any one of the Allied and Associated Powers from all forms of unfair competition in commercial transactions.

Austria undertakes to prohibit and repress by seizure and by other appropriate remedies the importation, exportation, manufacture, distribution, sale or offering for sale in her territory of all goods bearing upon themselves or their usual get-up or wrappings any marks, names, devices, or descriptions whatsoever which are calculated to convey directly or indirectly a false indication of the origin, type, nature or special characteristics of such goods.

Article 227.

Austria undertakes, on condition that reciprocity is accorded in these matters, to respect any law, or any administrative or judicial decision given in conformity with such law, in force in any Allied or Associated State and duly communicated to her by the proper authorities, defining or regulating the right to any regional appellation in respect of wine or spirits produced in the State to which the region belongs or the conditions under which the use of any such appellation may be permitted; and the importation, exportation, manufacture, distribution, sale or offering for sale of products or articles bearing regional appellations inconsistent with such law or order shall be prohibited by the Austrian Government and repressed by the measures prescribed in the preceding Article.

CHAPTER IV.—TREATMENT OF NATIONALS OF ALLIED AND ASSOCIATED POWERS.

Article 228.

Austria undertakes:—

(*a*) not to subject the nationals of the Allied and Associated Powers to any prohibition in regard to the exercise of occupations, professions, trade and industry, which shall not be equally applicable to all aliens without exception;

(*b*) not to subject the nationals of the Allied and Associated Powers in regard to the rights referred to in paragraph (*a*) to any regulation or restriction which might contravene directly or indirectly the stipulations of the said paragraph, or which shall be other or more disadvantageous than those which are applicable to nationals of the most favoured nation;

(*c*) not to subject the nationals of the Allied and Associated Powers their property, rights or interests, including companies and associations in which they are interested, to any charge, tax or impost, direct or indirect, other or higher than those which are or may be imposed on her own nationals or their property, rights or interests;

(*d*) Not to subject the nationals of any one of the Allied and Associated Powers to any restriction which was not applicable on July 1, 1914, to the nationals of such Powers unless such restriction is likewise imposed on her own nationals.

Article 229.

The nationals of the Allied and Associated Powers shall enjoy in Austrian territory a constant protection for their persons and for their property, rights and interests, and shall have free access to the courts of law.

Article 230.

Austria undertakes to recognise any new nationality which has been or may be acquired by her nationals under the laws of the Allied and Associated Powers, and in accordance with the decisions of the competent authorities of these Powers pursuant to naturalisation laws or under treaty stipulations, and to regard such persons as having, in consequence of the acquisition of such new nationality, in all respects severed their allegiance to their country of origin.

Article 231.

The Allied and Associated Powers may appoint consuls-general, consuls, vice-consuls and consular agents in Austrian towns and ports. Austria undertakes to approve the designation of the consuls-general, consuls, vice-consuls and consular agents, whose names shall be notified to her, and to admit them to the exercise of their functions in conformity with the usual rules and customs.

Chapter V.—General Articles.

Article 232.

The obligations imposed on Austria by Chapter I above shall cease to have effect five years from the date of the coming into force of the present Treaty, unless otherwise provided in the text, or unless the Council of the League of Nations shall, at least twelve months before the expiration of that period decide that these obligations shall be maintained for a further period with or without amendment.

Nevertheless it is agreed that unless the League of Nations decides otherwise an Allied or Associated Power shall not after the expiration of three years from the coming into force of the present Treaty be entitled to require the fulfilment by Austria of the provisions of Articles 217, 218, 219 or 220 unless that Power accords correlative treatment to Austria.

Article 228 of Chapter IV shall remain in operation, with or without amendment, after the period of five years for such further period, if any, not exceeding five years, as may be determined by a majority of the Council of the League of Nations.

ARTICLE 233.

If the Austrian Government engages in international trade, it shall not in respect thereof have or be deemed to have any rights, privileges or immunities of sovereignty.

SECTION II.—*Treaties.*

ARTICLE 234.

From the coming into force of the present Treaty and subject to the provisions thereof the multilateral Treaties, Conventions and Agreements of an economic or technical character concluded by the former Austro-Hungarian Monarchy and enumerated below and in the subsequent Articles shall alone be applied as between Austria and those of the Allied and Associated Powers party thereto:

(1) Conventions of March 14, 1884, December 1, 1886, and March 23, 1887, and Final Protocol of July 7, 1887, regarding the protection of submarine cables.

(2) Convention of October 11, 1909, regarding the international circulation of motor-cars.

(3) Agreement of May 15, 1886, regarding the sealing of railway trucks subject to customs inspection, and Protocol of May 18, 1907.

(4) Agreement of May 15, 1886, regarding the technical standardisation of railways.

(5) Convention of July 5, 1890, regarding the publication of customs tariffs and the organisation of an International Union for the publication of customs tariffs.

(6) Convention of April 25, 1907, regarding the raising of the Turkish customs tariff.

(7) Convention of March 14, 1857, for the redemption of toll dues on the Sound and Belts.

(8) Convention of June 22, 1861, for the redemption of the Stade Toll on the Elbe.

(9) Convention of July 16, 1863, for the redemption of the Toll dues on the Scheldt.

(10) Convention of October 29, 1888, regarding the establishment of a definite arrangement guaranteeing the free use of the Suez Canal.

(11) Conventions of September 23, 1910, respecting the unification of certain regulations regarding collisions and salvage at sea.

(12) Convention of December 21, 1904, regarding the exemption of hospital ships from dues and charges in ports.

(13) Convention of September 26, 1906, for the suppression of nightwork for women.

(14) Conventions of May 18, 1904, and May 4, 1910, regarding the suppression of the White Slave Traffic.

(15) Convention of May 4, 1910, regarding the suppression of obscene publications.

(16) Sanitary Convention of December 3, 1903, and the preceding Conventions signed on January 30, 1892, April 15, 1893, April 3, 1894, and March 19, 1897.

(17) Convention of May 20, 1875, regarding the unification and improvement of the metric system.

(18) Convention of November 29, 1906, regarding the unification of pharmacopœial formulæ for potent drugs.

(19) Convention of November 16 and 19, 1885, regarding the establishment of a concert pitch.

(20) Convention of June 7, 1905, regarding the creation of an International Agricultural Institute at Rome.

(21) Conventions of November 3, 1881, and April 15, 1889, regarding precautionary measures against phylloxera.

(22) Convention of March 19, 1902, regarding the protection of birds useful to agriculture.

(23) Convention of June 12, 1902, regarding the guardianship of minors.

ARTICLE 235.

From the coming into force of the present Treaty the High Contracting Parties shall apply the conventions and agreements hereinafter mentioned, in so far as concerns them, Austria undertaking to comply with the special stipulations contained in this Article.

Postal Conventions:

Conventions and agreements of the Universal Postal Union concluded at Vienna, July 4, 1891.

Conventions and agreements of the Postal Union signed at Washington, June 15, 1897.

Conventions and agreements of the Postal Union signed at Rome, May 26. 1906.

Telegraphic Conventions:

International Telegraphic Conventions signed at St. Petersburg July 10/22, 1875.

Regulations and Tariffs drawn up by the International Telegraphic Conference, Lisbon, June 11, 1908.

Austria undertakes not to refuse her assent to the conclusion by the new States of the special arrangements referred to in the Conventions and Agreements relating to the Universal Postal Union and to the International Telegraphic Union, to which the said new States have adhered or may adhere.

ARTICLE 236.

From the coming into force of the present Treaty the High Contracting Parties shall apply, in so far as concerns them, the International Radio-Telegraphic Convention of July 5, 1912, Austria undertaking to comply with the provisional regulations which will be indicated to her by the Allied and Associated Powers.

If within five years after the coming into force after the present Treaty a new convention regulating international radio-telegraphic communications should have been concluded to take the place of the Convention of July 5, 1912,

this new convention shall bind Austria, even if Austria should refuse either to take part in drawing up the convention, or to subscribe thereto.

This new convention will likewise replace the provisional regulations in force.

ARTICLE 237.

The International Convention of Paris of March 20, 1883, for the protection of industrial property, revised at Washington on June 2, 1911, and the agreement of April 14, 1891, concerning the international registration of trade marks shall be applied as from the coming into force of the present Treaty, in so far as they are not affected or modified by the exceptions and restrictions resulting therefrom.

ARTICLE 238.

From the coming into force of the present Treaty the High Contracting Parties shall apply, in so far as concerns them, the Convention of the Hague of July 17, 1905, relating to civil procedure. This provision, however, will not apply to France, Portugal and Roumania.

ARTICLE 239.

Austria undertakes, within twelve months of the coming into force of the present Treaty, to adhere in the prescribed form to the International Convention of Berne of September 9, 1886, for the protection of literary and artistic works, revised at Berlin in 1908, and the Act and Protocol of March 20, 1914, relating to the protection of literary and artistic works.

Until her adherence, Austria undertakes to recognise and protect by effective measures and in accordance with the principles of the said Convention the literary and artistic works of nationals of the Allied and Associated Powers.

In addition, and irrespective of the above-mentioned adherence, Austria undertakes to continue to assure such recognition and such protection to all literary and artistic works of the nationals of each of the Allied and Associated Powers to an extent at least as great as upon July 28, 1914, and upon the same conditions.

ARTICLE 240.

Austria undertakes to adhere to the following Conventions:

(1) Convention of September 26, 1906, for the suppression of the use of white phosphorus in the manufacture of matches.

(2) Convention of December 31, 1913, regarding the unification of commercial statistics.

ARTICLE 241.

Each of the Allied or Associated Powers, being guided by the general principles or special provisions of the present Treaty, shall notify to Austria the bilateral agreements of all kinds which were in force between her and the former Austro-Hungarian Monarchy, and which she wishes should be in force as between her and Austria.

The notification referred to in the present Article shall be made either directly or through the intermediary of another Power. Receipt thereof shall be acknowledged in writing by Austria. The date of the coming into force shall be that of the notification.

The Allied and Associated Powers undertake among themselves not to apply as between themselves and Austria any agreements which are not in accordance with the terms of the present Treaty.

The notification shall mention any provisions of the said agreements which, not being in accordance with the terms of the present Treaty, shall not be considered as coming into force.

In case of any difference of opinion, the League of Nations will be called on to decide.

A period of six months from the coming into force of the present Treaty is allowed to the Allied and Associated Powers within which to make the notification.

Only those bilateral agreements which have been the subject of such a notification shall be put in force between the Allied and Associated Powers and Austria.

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The above rules apply to all bilateral agreements existing between any Allied and Associated Powers signatories to the present Treaty and Austria, even if the said Allied and Associated Powers have not been in a state of war with Austria.

ARTICLE 242.

Austria hereby recognizes that all treaties, conventions or agreements concluded by her, or by the former Austro-Hungarian Monarchy, with Germany, Hungary, Bulgaria or Turkey since August 1, 1914, until the coming into force of the present Treaty are of no effect.

ARTICLE 243.

Austria undertakes to secure to the Allied and Associated Powers, and to the officials and nationals of the said Powers, the enjoyment of all the rights and advantages of any kind which she, or the former Austro-Hungarian Monarchy, may have granted to Germany, Hungary, Bulgaria or Turkey, or to the officials and nationals of these States by treaties, conventions or arrangements concluded before August 1, 1914, so long as those treaties, conventions or arrangements are in force.

The Allied and Associated Powers reserve the right to accept or not the enjoyment of these rights and advantages.

ARTICLE 244.

Austria recognises that all treaties, conventions or arrangements which she, or the former Austro-Hungarian Monarchy, concluded with Russia, or with any State or Government of which the territory previously formed a part of Russia, or with Roumania, before July 28, 1914, or after that date until the coming into force of the present Treaty, are of no effect.

ARTICLE 245.

Should an Allied or Associated Power, Russia, or a State or Government of which the territory formerly constituted a part of Russia, have been forced since July 28, 1914, by reason of military occupation or by any other means or

for any other cause, to grant or to allow to be granted by the act of any public authority, concessions, privileges and favours of any kind to the former Austro-Hungarian Monarchy, or to Austria or to an Austrian national, such concessions, privileges and favours are *ipso facto* annulled by the present Treaty.

No claims or indemnities which may result from this annulment shall be charged against the Allied or Associated Powers or the Powers, States, Governments or public authorities which are released from their engagements by the present Article.

ARTICLE 246.

From the coming into force of the present Treaty Austria undertakes, so far as she is concerned, to give the Allied and Associated Powers and their nationals the benefit *ipso facto* of the rights and advantages of any kind which she or the former Austro-Hungarian Monarchy has granted by treaties, conventions, or arrangements to non-belligerent States or their nationals since July 28, 1914, until the coming into force of the present Treaty, so long as those treaties, conventions or arrangements are in force for Austria.

ARTICLE 247.

Those of the High Contracting Parties who have not yet signed, or who have signed but not yet ratified, the Opium Convention signed at The Hague on January 23, 1912, agree to bring the said Convention into force, and for this purpose to enact the necessary legislation without delay and in any case within a period of twelve months from the coming into force of the present Treaty.

Furthermore, they agree that ratification of the present Treaty should in the case of Powers which have not yet ratified the Opium Convention be deemed in all respects equivalent to the ratification of that Convention and to the signature of the Special Protocol which was opened at The Hague in accordance with the resolutions adopted by the Third Opium Conference in 1914 for bringing the said Convention into force.

For this purpose the Government of the French Republic will communicate to the Government of the Netherlands a certified copy of the protocol of the deposit of ratifications of the present Treaty, and will invite the Govern-

ment of the Netherlands to accept and deposit the said certified copy as if it were a deposit of ratifications of the Opium Convention and a signature of the Additional Protocol of 1914.

SECTION III.—*Debts.*

ARTICLE 248.

There shall be settled through the intervention of Clearing Offices to be established by each of the High Contracting Parties within three months of the notification referred to in paragraph (*e*) hereafter the following classes of pecuniary obligations:

(1) Debts payable before the war and due by a national of one of the Contracting Powers, residing within its territory, to a national of an Opposing Power, residing within its territory;

(2) Debts which became payable during the war to nationals of one Contracting Power residing within its territory and arose out of transactions or contracts with the nationals of an Opposing Power, resident within its territory, of which the total or partial execution was suspended on account of the existence of a state of war;

(3) Interest which has accrued due before and during the war to a national of one of the Contracting Powers in respect of securities issued or taken over by an Opposing Power, provided that the payment of interest on such securities to the nationals of that Power or to neutrals has not been suspended during the war;

(4) Capital sums which have become payable before and during the war to nationals of one of the Contracting Powers in respect of securities issued by one of the Opposing Powers, provided that the payment of such capital sums to nationals of that Power or to neutrals has not been suspended during the war.

In the case of interest or capital sums payable in respect of securities issued or taken over by the former Austro-Hungarian Government the amount to be credited and paid by Austria will be the interest or capital in respect only of the debt for which Austria is liable in accordance with the Financial Clauses of the present Treaty, and the principles laid down by the Reparation Commisson.

The proceeds of liquidation of enemy property, rights, and interests mentioned in Section IV and in the Annex thereto will be accounted for through the Clearing Offices, in the currency and at the rate of exchange hereinafter provided in paragraph (*d*), and disposed of by them under the conditions provided by the said Section and Annex.

The settlements provided for in this Article shall be effected according to the following principles and in accordance with the Annex to this Section:

(*a*) Each of the High Contracting Parties shall prohibit, as from the coming into force of the present Treaty, both the payment and the acceptance of payment of such debts, and also all communications between the interested parties with regard to the settlement of the said debts otherwise than through the Clearing Offices.

(*b*) Each of the High Contracting Parties shall be respectively responsible for the payment of such debts due by its nationals, except in the cases where before the war the debtor was in a state of bankruptcy or failure, or had given formal indication of insolvency, or where the debt was due by a company whose business has been liquidated under emergency legislation during the war.

(*c*) The sums due to the nationals of one of the High Contracting Parties by the nationals of an Opposing State will be debited to the Clearing Office of the country of the debtor, and paid to the creditor by the Clearing Office of the country of the creditor.

(*d*) Debts shall be paid or credited in the currency of such one of the Allied and Associated Powers, their colonies or protectorates, or the British Dominions or India, as may be concerned. If the debts are payable in some other currency they shall be paid or credited in the currency of the country concerned, whether an Allied or Associated Power, Colony, Protectorate, British Dominion or India, at the pre-war rate of exchange.

For the purpose of this provision the pre-war rate of exchange shall be defined as the average cable transfer rate prevailing in the Allied or Associated country concerned during the month immediately preceding the outbreak of war between the said country concerned and Austria-Hungary.

If a contract provides for a fixed rate of exchange governing the conversion of the currency in which the debt is stated into the currency of the Allied or

Associated country concerned, then the above provisions concerning the rate of exchange shall not apply.

In the case of the new States of Poland and the Czecho-Slovak State the currency in which and the rate of exchange at which debts shall be paid or credited shall be determined by the Reparation Commission provided for in Part VIII, unless they shall have been previously settled by agreement between the States interested.

(*e*) The provisions of this Article and of the Annex hereto shall not apply as between Austria on the one hand and any one of the Allied and Associated Powers, their colonies or protectorates, or any one of the British Dominions or India on the other hand, unless within a period of one month from the deposit of the ratification of the present Treaty by the Power in question, or of the ratification on behalf of such Dominion or of India, notice to that effect is given to Austria by the Government of such Allied or Associated Power or of such Dominion or of India as the case may be.

(*f*) The Allied and Associated Powers which have adopted this Article and the Annex hereto may agree between themselves to apply them to their respective nationals established in their territory so far as regards matters between their nationals and Austrian nationals. In this case the payments made by application of this provision will be subject to arrangements between the Allied and Associated Clearing Offices concerned.

ANNEX.

I.

Each of the High Contracting Parties will, within three months from the notification provided for in Article 248, paragraph (*e*), establish a Clearing Office for the collection and payment of enemy debts.

Local Clearing Offices may be established for any particular portion of the territories of the High Contracting Parties. Such local Clearing Offices may perfor n all the functions of a central Clearing Office in their respective districts, except that all transactions with the clearing office in the Opposing State must be effected through the central Clearing Office.

2.

In this Annex the pecuniary obligations referred to in the first paragraph of Article 248 are described as "enemy debts", the persons from whom the same are due as "enemy debtors", the persons to whom they are due as "enemy creditors", the Clearing Office in the country of the creditor is called the "Creditor Clearing Office", and the Clearing Office in the country of the debtor is called the "Debtor Clearing Office".

3.

The High Contracting Parties will subject contraventions of paragraph (*a*) of Article 248 to the same penalties as are at present provided by their legislation for trading with the enemy. They will similarly prohibit within their territory all legal process relating to payment of enemy debts, except in accordance with the provisions of this Annex.

4.

The Government guarantee specified in paragraph (*b*) of Article 248 shall take effect whenever, for any reason, a debt shall not be recoverable, except in a case where at the date of the outbreak of war the debt was barred by the laws of prescription in force in the country of the debtor, or where the debtor was at that time in a state of bankruptcy or failure or had given formal indication of insolvency, or where the debt was due by a company whose business has been liquidated under emergency legislation during the war. In such case the procedure specified by this Annex shall apply to payment of the dividends.

The terms "bankruptcy" and "failure" refer to the application of legislation providing for such juridical conditions. The expression "formal indication of insolvency" bears the same meaning as it has in English law.

5.

Creditors shall give notice to the Creditor Clearing Office within six months of its establishment of debts due to them, and shall furnish the Clearing Office with any documents and information required of them.

The High Contracting Parties will take all suitable measures to trace and punish collusion between enemy creditors and debtors. The Clearing Offices will communicate to one another any evidence and information which might help the discovery and punishment of such collusion.

The High Contracting Parties will facilitate as much as possible postal and telegraphic communication at the expense of the parties concerned and through the intervention of the Clearing Offices between debtors and creditors desirous of coming to an agreement as to the amount of their debt.

The Creditor Clearing Office will notify the Debtor Clearing Office of all debts declared to it. The Debtor Clearing Office will, in due course, inform the Creditor Clearing Office which debts are admitted and which debts are contested. In the latter case, the Debtor Clearing Office will give the grounds for the non-admission of debt.

6.

When a debt has been admitted, in whole or in part, the Debtor Clearing Office will at once credit the Creditor Clearing Office with the amount admitted, and at the same time notify it of such credit.

7.

The debt shall be deemed to be admitted in full and shall be credited forthwith to the Creditor Clearing Office unless within three months from the receipt of the notification or such longer time as may be agreed to by the Creditor Clearing Office notice has been given by the Debtor Clearing Office that it is not admitted.

8.

When the whole or part of a debt is not admitted the two Clearing Offices will examine into the matter jointly and will endeavour to bring the parties to an agreement.

9.

The Creditor Clearing Office will pay to the individual creditor the sums credited to it out of the funds placed at its disposal by the Government of its

country and in accordance with the conditions fixed by the said Government, retaining any sums considered necessary to cover risks, expenses or commissions.

10.

Any person having claimed payment of an enemy debt which is not admitted in whole or in part shall pay to the Clearing Office, by way of fine, interest at 5 per cent. on the part not admitted. Any person having unduly refused to admit the whole or part of a debt claimed from him shall pay, by way of fine, interest at 5 per cent. on the amount with regard to which his refusal shall be disallowed.

Such interest shall run from the date of expiration of the period provided for in paragraph 7 until the date on which the claims shall have been disallowed or the debt paid.

Each Clearing Office shall in so far as it is concerned take steps to collect the fines above provided for, and will be responsible if such fines cannot be collected.

The fines will be credited to the other Clearing Office, which shall retain them as a contribution towards the cost of carrying out the present provisions.

11.

The balance between the Clearing Offices shall be struck monthly and the credit balance paid in cash by the debtor State within a week.

Nevertheless, any credit balances which may be due by one or more of the Allied and Associated Powers shall be retained until complete payment shall have been effected of the sums due to the Allied or Associated Powers or their nationals on account of the war.

12.

To facilitate discussion between the Clearing Offices each of them shall have a representative at the place where the other is established.

13.

Except for special reasons all discussions in regard to claims will, so far as possible, take place at the Debtor Clearing Office.

14.

In conformity with Article 248, paragraph (*b*), the High Contracting Parties are responsible for the payment of the enemy debts owing by their nationals.

The Debtor Clearing Office will therefore credit the Creditor Clearing Office with all debts admitted, even in case of inability to collect them from the individual debtor. The Governments concerned will, nevertheless, invest their respective Clearing Offices with all necessary powers for the recovery of debts which have been admitted.

15.

Each Government will defray the expenses of the Clearing Office set up in its territory, including the salaries of the staff.

16.

Where the two Clearing Offices are unable to agree whether a debt claimed is due, or in case of a difference between an enemy debtor and an enemy creditor or between the Clearing Offices, the dispute shall either be referred to arbitration if the parties so agree under conditions fixed by agreement between them, or referred to the Mixed Arbitral Tribunal provided for in Section VI hereafter.

At the request of the Creditor Clearing Office the dispute may, however, be submitted to the jurisdiction of the Courts of the place of domicile of the debtor.

17.

Recovery of sums found by the Mixed Arbitral Tribunal, the Court, or the Arbitration Tribunal to be due shall be effected through the Clearing Offices as if these sums were debts admitted by the Debtor Clearing Office.

18.

Each of the Governments concerned shall appoint an agent who will be responsible for the presentation to the Mixed Arbitral Tribunal of the cases

conducted on behalf of its Clearing Office. This agent will exercise a general control over the representatives or counsel employed by its nationals.

Decisions will be arrived at on documentary evidence, but it will be open to the Tribunal to hear the parties in person, or according to their preference by their representatives approved by the two Governments, or by the agent referred to above, who shall be competent to intervene along with the party or to re-open and maintain a claim abandoned by the same.

19.

The Clearing Offices concerned will lay before the Mixed Arbitral Tribunal all the information and documents in their possession, so as to enable the Tribunal to decide rapidly on the cases which are brought before it.

20.

Where one of the parties concerned appeals against the joint decision of the two Clearing Offices he shall make a deposit against the costs, which deposit shall only be refunded when the first judgment is modified in favour of the appellant and in proportion to the success he may attain, his opponent in case of such a refund being required to pay an equivalent proportion of the costs and expenses. Security accepted by the Tribunal may be substituted for a deposit.

A fee of 5 per cent. of the amount in dispute shall be charged in respect of all cases brought before the Tribunal. This fee shall, unless the Tribunal directs otherwise, be borne by the unsuccessful party. Such fee shall be added to the deposit referred to. It is also independent of the security.

The Tribunal may award to one of the parties a sum in respect of the expenses of the proceedings.

Any sum payable under this paragraph shall be credited to the Clearing Office of the successful party as a separate item.

21.

With a view to the rapid settlement of claims, due regard shall be paid in the appointment of all persons connected with the Clearing Offices or with

the Mixed Arbitral Tribunal to their knowledge of the language of the other country concerned. Each of the Clearing Offices will be at liberty to correspond with the other and to forward documents in its own language.

22.

Subject to any special agreement to the contrary between the Governments concerned, debts shall carry interest in accordance with the following provisions:

Interest shall not be payable on sums of money due by way of dividend, interest, or other periodical payments which themselves represent interest on capital.

The rate of interest shall be 5 per cent. per annum, except in cases where, by contract, law, or custom, the creditor is entitled to payment of interest at a different rate. In such cases the rate to which he is entitled shall prevail.

Interest shall run from the date of commencement of hostilities (or, if the sum of money to be recovered fell due during the war, from the date at which it fell due) until the sum is credited to the Clearing Office of the creditor.

Sums due by way of interest shall be treated as debts admitted by the Clearing Office and shall be credited to the Creditor Clearing Office in the same way as such debts.

23.

Where by decision of the Clearing Offices or the Mixed Arbitral Tribunal a claim is held not to fall within Article 248, the creditor shall be at liberty to prosecute the claim before the Courts or to take such other proceedings as may be open to him.

The presentation of a claim to the Clearing Office suspends the operation of any period of prescription.

24.

The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunal as final and conclusive, and to render them binding upon their nationals.

25.

In any case where a Creditor Clearing Office declines to notify a claim to the Debtor Clearing Office, or to take any step provided for in this Annex intended to make effective in whole or in part a request of which it has received due notice, the enemy creditor shall be entitled to receive from the Clearing Office a certificate setting out the amount of the claim, and shall then be entitled to prosecute the claim before the courts or to take such other proceedings as may be open to him.

SECTION IV.—*Property, rights and interests.*

ARTICLE 249.

The question of private property, rights and interests in an enemy country shall be settled according to the principles laid down in this Section and to the provisions of the Annex hereto:

(*a*) The exceptional war measures and measures of transfer (defined in paragraph 3 of the Annex hereto) taken in the territory of the former Austrian Empire with respect to the property, rights and interests of nationals of Allied or Associated Powers, including companies and associations in which they are interested, when liquidation has not been completed, shall be immediately discontinued or stayed and the property, rights and interests concerned restored to their owners.

(*b*) Subject to any contrary stipulations which may be provided for in the present Treaty, the Allied and Associated Powers reserve the rights to retain and liquidate all property, rights and interests which belong at the date of the coming into force of the present Treaty to nationals of the former Austrian Empire, or companies controlled by them, and are within the territories, colonies, possessions and protectorates of such Powers (including territories ceded to them by the present Treaty) or are under the control of those Powers.

The liquidation shall be carried out in accordance with the laws of the Allied or Associated State concerned, and the owner shall not be able to dispose of such property, rights or interests nor to subject them to any charge without the consent of that State.

Persons who within six months of the coming into force of the present Treaty show that they have acquired *ipso facto* in accordance with its provisions the nationality of an Allied or Associated Power, including those who under Articles 72 or 76 obtain such nationality with the consent of the competent authorities, or who under Articles 74 or 77 acquire such nationality in virtue of previous rights of citizenship (*pertnienza*) will not be considered as nationals of the former Austrian Empire within the meaning of this paragraph.

(*c*) The price or the amount of compensation in respect of the exercise of the right referred to in paragraph (*b*) will be fixed in accordance with the methods of sale or valuation adopted by the laws of the country in which the property has been retained or liquidated.

(*d*) As between the Allied and Associated Powers and their nationals on the one hand and nationals of the former Austrian Empire on the other hand, as also between Austria on the one hand and the Allied and Associated Powers and their nationals on the other hand, all the exceptional war measures, or measures of transfer, or acts done or to be done in execution of such measures as defined in paragraphs 1 and 3 of the Annex hereto shall be considered as final and binding upon all persons except as regards the reservations laid down in the present Treaty.

(*e*) The nationals of Allied and Associated Powers shall be entitled to compensation in respect of damage or injury inflicted upon their property, rights or interests, including any company or association in which they are interested, in the territory of the former Austrian Empire, by the application either of the exceptional war measures or measures of transfer mentioned in paragraphs 1 and 3 of the Annex hereto. The claims made in this respect by such nationals shall be investigated, and the total of the compensation shall be determined by the Mixed Arbitral Tribunal provided for in Section VI or by an arbitrator appointed by that Tribunal. This compensation shall be borne by Austria, and may be charged upon the property of nationals of the former Austrian Empire, or companies controlled by them, as defined in paragraph (*b*), within the territory or under the control of the claimant's State. This property may be constituted as a pledge for enemy liabilities under the conditions fixed by paragraph 4 of the Annex hereto. The payment of this compensation may be

made by the Allied or Associated State, and the amount will be debited to Austria.

(*f*) Whenever a national of an Allied or Associated Power is entitled to property which has been subjected to a measure of transfer in the territory of the former Austrian Empire and expresses a desire for its restitution, his claim for compensation in accordance with paragraph (*e*) shall be satisfied by the restitution of the said property if it still exists in specie.

In such case Austria shall take all necessary steps to restore the evicted owner to the possession of his property, free from all encumbrances or burdens with which it may have been charged after the liquidation, and to indemnify all third parties injured by the restitution.

If the restitution provided for in this paragraph cannot be effected, private agreements arranged by the intermediation of the Powers concerned or the Clearing Offices provided for in the Annex to Section III may be made, in order to secure that the national of the Allied or Associated Power may secure compensation for the injury referred to in paragraph (*e*) by the grant of advantages or equivalents which he agrees to accept in place of the property, rights or interests of which he was deprived.

Through restitution in accordance with this Article, the price or the amount of compensation fixed by the application of paragraph (*e*) will be reduced by the actual value of the property restored, account being taken of compensation in respect of loss of use or deterioration.

(*g*) The rights conferred by paragraph (*f*) are reserved to owners who are nationals of Allied or Associated Powers within whose territory legislative measures prescribing the general liquidation of enemy property, rights or interests were not applied before the signature of the Armistice.

(*h*) Except in cases where, by application of paragraph (*f*), restitutions in specie have been made, the net proceeds of sales of enemy property, rights or interests wherever situated carried out either by virtue of war legislation, or by application of this Article, and in general all cash assets of enemies, other than proceeds of sales of property or cash assets in Allied or Associated countries

belonging to persons covered by the last sentence of paragraph (*b*) above, shall be dealt with as follows:

(1) As regards Powers adopting Section III and the Annex thereto, the said proceeds and cash assets shall be credited to the Power of which the owner is a national, through the Clearing Office established thereunder; any credit balance in favour of Austria resulting therefrom shall be dealt with as provided in Article 189 of Part VIII (Reparation) of the present Treaty.

(2) As regards Powers not adopting Section III and the Annex thereto, the proceeds of the property, rights and interests, and the cash assets, of the nationals of Allied or Associated Powers held by Austria shall be paid immediately to the person entitled thereto or to his Government; the proceeds of the property, rights and interests, and the cash assets, of nationals of the former Austrian Empire, or companies controlled by them, as defined in paragraph (*b*), received by an Allied or Associated Power shall be subject to disposal by such Power in accordance with its laws and regulations and may be applied in payment of the claims and debts defined by this Article or paragraph 4 of the Annex hereto. Any such property, rights and interests or proceeds thereof or cash assets not used as above provided may be retained by the said Allied or Associated Power, and if retained, the cash value thereof shall be dealt with as provided in Article 189 of Part VIII (Reparation) of the present Treaty.

(*i*) Subject to the provisions of Article 267, in the case of liquidations effected in new States, which are signatories of the present Treaty as Allied and Associated Powers, or in States which are not entitled to share in the reparation payments to be made by Austria, the proceeds of liquidations effected by such States shall, subject to the rights of the Reparation Commission under the present Treaty, particularly under Articles 181 (Part VIII) and 211 (Part IX), be paid direct to the owner. If, on the application of that owner, the Mixed Arbitral Tribunal provided for by Section VI of this Part, or an arbitrator appointed by that Tribunal, is satisfied that the conditions of the sale or measures taken by the Government of the State in question outside its general legislation were unfairly prejudicial to the price obtained, they shall have discretion to award to the owner equitable compensation to be paid by that State.

(*j*) Austria undertakes to compensate her nationals in respect of the sale or retention of their property, rights or interests in Allied or Associated States.

(*k*) The amount of all taxes or imposts on capital levied or to be levied by Austria on the property, rights and interests of the nationals of the Allied or Associated Powers from November 3, 1918, until three months from the coming into force of the present Treaty, or, in the case of property, rights or interests which have been subjected to exceptional measures of war, until restitution in accordance with the present Treaty, shall be restored to the owners.

Article 250.

Austria undertakes, with regard to the property, rights and interests, including companies and associations in which they were interested, restored to nationals of Allied and Associated Powers in accordance with the provisions of Article 249, paragraph (*a*) or (*f*):

(*a*) to restore and maintain, except as expressly provided in the present Treaty, the property, rights and interests of the nationals of Allied or Associated Powers in the legal position obtaining in respect of the property, rights and interests of nationals of the former Austrian Empire under the laws in force before the war;

(*b*) not to subject the property, rights or interests of the nationals of the Allied or Associated Powers to any measures in derogation of property rights which are not applied equally to the property, rights and interests of Austrian nationals, and to pay adequate compensation in the event of the application of these measures.

Annex.

1.

In accordance with the provisions of Article 249, paragraph (*d*), the validity of vesting orders and of orders for the winding up of businesses or companies, and of any other orders, directions, decisions or instructions of any court or any department of the Government of any of the High Contracting Parties made or given, or purporting to be made or given, in pursuance of war legislation with

regard to enemy property, rights and interests is confirmed. The interests of all persons shall be regarded as having been effectively dealt with by any order, direction, decision or instruction dealing with property in which they may be interested, whether or not such interests are specifically mentioned in the order, direction, decision, or instruction. No question shall be raised as to the regularity of a transfer of any property, rights or interests dealt with in pursuance of any such order, direction, decision or instruction. Every action taken with regard to any property, business or company, whether as regards its investigation, sequestration, compulsory administration, use, requisition, supervision or winding up, the sale or management of property, rights or interests, the collection or discharge of debts, the payment of costs, charges or expenses, or any other matter whatsoever, in pursuance of orders, directions, decisions or instructions of any court or of any department of the Government of any of the High Contracting Parties, made or given, or purporting to be made or given, in pursuance of war legislation with regard to enemy property, rights or interests, is confirmed. Provided that the provisions of this paragraph shall not be held to prejudice the titles to property heretofore acquired in good faith and for value and in accordance with the laws of the country in which the property is situated by nationals of the Allied and Associated Powers.

The provisions of this paragraph do not apply to such of the above-mentioned measures as have been taken by the former Austro-Hungarian Government in invaded or occupied territory, nor to such of the above-mentioned measures as have been taken by Austria or the Austrian authorities since November 3, 1918, all of which measures shall be void.

2.

No claim or action shall be made or brought against any Allied or Associated Power or against any person acting on behalf of or under the direction of any legal authority or department of the Government of such a Power by Austria or by any Austrian national or by or on behalf of any national of the former Austrian Empire wherever resident in respect of any act or omission with regard to his property, rights or interests during the war or in preparation for the war. Simi-

larly no claim or action shall be made or brought against any person in respect of any act or omission under or in accordance with the exceptional war measures, laws or regulations of any Allied or Associated Power.

3.

In Article 249 and this Annex the expression "exceptional war measures" includes measures of all kinds, legislative, administrative, judicial or others, that have been taken or will be taken hereafter with regard to enemy property, and which have had or will have the effect of removing from the proprietors the power of disposition over their property, though without affecting the ownership, such as measures of supervision, of compulsory administration, and of sequestration; or measures which have had or will have as an object the seizure of, the use of, or the interference with enemy assets, for whatsoever motive, under whatsoever form or in whatsoever place. Acts in the execution of these measures include all detentions, instructions, orders or decrees of Government departments or courts applying these measures to enemy property, as well as acts performed by any person connected with the administration or the supervision of enemy property, such as the payment of debts, the collecting of credits, the payment of any costs, charges or expenses, or the collecting of fees.

Measures of transfer are those which have affected or will affect the ownership of enemy property by transferring it in whole or in part to a person other than the enemy owner, and without his consent, such as measures directing the sale, liquidation, or devolution of ownership in enemy property, or the cancelling of titles or securities.

4.

All property, rights and interests of nationals of the former Austrian Empire within the territory of any Allied or Associated Power and the net proceeds of their sale, liquidation or other dealing therewith may be charged by that Allied or Associated Power in the first place with payment of amounts due in respect of claims by the nationals of that Allied or Associated Power with regard to their property, rights and interests, including companies and associations in which they are interested, in territory of the former Austrian

Empire, or debts owing to them by Austrian nationals, and with payment of claims growing out of acts committed by the former Austro-Hungarian Government or by any Austrian authorities since July 28, 1914, and before that Allied or Associated Power entered into the war. The amount of such claims may be assessed by an arbitrator appointed by M. Gustave Ador, if he is willing, or if no such appointment is made by him, by an arbitrator appointed by the Mixed Arbitral Tribunal provided for in Section VI. They may be charged in the second place with payment of the amounts due in respect of claims by the nationals of such Allied or Associated Power with regard to their property, rights and interests in the territory of other enemy Powers, in so far as those claims are otherwise unsatisfied.

5.

Notwithstanding the provisions of Article 249, where immediately before the outbreak of war a company incorporated in an Allied or Associated State had rights in common with a company controlled by it and incorporated in Austria to the use of trade-marks in third countries, or enjoyed the use in common with such company of unique means of reproduction of goods or articles for sale in third countries, the former company shall alone have the right to use these trade-marks in third countries to the exclusion of the Austrian company, and these unique means of reproduction shall be handed over to the former company, notwithstanding any action taken under war legislation in force in the Austro-Hungarian Monarchy with regard to the latter company or its business, industrial property or shares. Nevertheless, the former company, if requested, shall deliver to the latter company derivative copies permitting the continuation of reproduction of articles for use within Austrian territory.

6.

Up to the time when restitution is carried out in accordance with Article 249, Austria is responsible for the conservation of property, rights and interests of the nationals of Allied or Associated Powers, including companies and associations in which they are interested, that have been subjected by her to exceptional war measures.

7.

Within one year from the coming into force of the present Treaty the Allied or Associated Powers will specify the property, rights and interests over which they intend to exercise the right provided in Article 249, paragraph (*f*).

8.

The restitution provided in Article 249 will be carried out by order of the Austrian Government or of the authorities which have been substituted for it. Detailed accounts of the action of administrators shall be furnished to the interested persons by the Austrian authorities upon request, which may be made at any time after the coming into force of the present Treaty.

9.

Until completion of the liquidation provided for by Article 249, paragraph (*b*), the property, rights and interests of the persons referred to in that paragraph will continue to be subject to exceptional war measures that have been or will be taken with regard to them.

10.

Austria will, within six months from the coming into force of the present Treaty, deliver to each Allied or Associated Power all securities, certificates, deeds, or other documents of title held by its nationals and relating to property, rights or interests situated in the territory of that Allied or Associated Power, including any shares, stock, debentures, debenture stock, or other obligations of any company incorporated in accordance with the laws of that Power.

Austria will at any time on demand of any Allied or Associated Power furnish such information as may be required with regard to the property, rights and interests of Austrian nationals within the territory of such Allied or Associated Power, or with regard to any transactions concerning such property, rights or interests effected since July 1, 1914.

11.

The expression "cash assets" includes all deposits or funds established before or after the existence of a state of war, as well as all assets coming from

deposits, revenues, or profits collected by administrators, sequestrators, or others from funds placed on deposit or otherwise, but does not include sums belonging to the Allied or Associated Powers or to their component States, Provinces, or Municipalities.

12.

All investments wheresoever effected with the cash assets of nationals of the High Contracting Parties, including companies and associations in which such nationals were interested, by persons responsible for the administration of enemy properties or having control over such administration, or by order of such persons or of any authority whatsoever, shall be annulled. These cash assets shall be accounted for irrespective of any such investment.

13.

Within one month from the coming into force of the present Treaty, or on demand at any time, Austria will deliver to the Allied and Associated Powers all accounts, vouchers, records, documents, and information of any kind which may be within Austrian territory, and which concern the property, rights and interests of the nationals of those Powers, including companies and associations in which they are interested, that have been subjected to an exceptional war measure, or to a measure of transfer either in the territory of the former Austrian Empire or in territory occupied by that Empire or its allies.

The controllers, supervisors, managers, adminstrators, sequestrators, liquidators, and receivers shall be personally responsible under guarantee of the Austrian Government for the immediate delivery in full of these accounts and documents, and for their accuracy.

14.

The provisions of Article 249 and this Annex relating to property, rights and interests in an enemy country, and the proceeds of the liquidation thereof, apply to debts, credits and accounts, Section III regulating only the method of payment.

In the settlement of matters provided for in Article 249 between Austria and the Allied or Associated Powers, their colonies or protectorates, or any one

of the British Dominions or India, in respect of any of which a declaration shall not have been made that they adopt Section III, and between their respective nationals, the provisions of Section III respecting the currency in which payment is to be made and the rate of exchange and of interest shall apply unless the Government of the Allied or Associated Power concerned shall within six months of the coming into force of the present Treaty notify Austria that one or more of the said provisions are not to be applied.

15.

The provisions of Article 249 and this Annex apply to industrial, literary and artistic property which has been or will be dealt with in the liquidation of property, rights, interests, companies or businesses under war legislation by the Allied or Associated Powers, or in accordance with the stipulations of Article 249, paragraph (*b*).

SECTION V.—*Contracts, prescriptions, judgments.*

ARTICLE 251.

(*a*) Any contract concluded between enemies shall be regarded as having been dissolved as from the time when any two of the parties became enemies, except in respect of any debt or other pecuniary obligation arising out of any act done or money paid thereunder, and subject to the exceptions and special rules with regard to particular contracts or classes of contracts contained herein or in the Annex hereto.

(*b*) Any contract of which the execution shall be required in the general interest, within six months from the date of the coming into force of the present Treaty, by the Government of the Allied or Associated Power of which one of the parties is a national, shall be excepted from dissolution under this Article.

When the execution of the contract thus kept alive would, owing to the alteration of trade conditions, cause one of the parties substantial prejudice the Mixed Arbitral Tribunal provided for by Section VI shall be empowered to grant to the prejudiced party equitable compensation.

(*c*) Having regard to the provisions of the constitution and law of the United States of America, of Brazil, and of Japan, neither the present Article,

nor Article 252, nor the Annex hereto shall apply to contracts made between nationals of these States and nationals of the former Austrian Empire; nor shall Article 257 apply to the United States of America or its nationals.

(*d*) The present Article and the Annex hereto shall not apply to contracts the parties to which became enemies by reason of one of them being an inhabitant of territory of which the sovereignty has been transferred, if such party shall acquire under the present Treaty the nationality of an Allied or Associated Power, nor shall they apply to contracts between nationals of the Allied and Associated Powers between whom trading has been prohibited by reason of one of the parties being in Allied or Associated territory in the occupation of the enemy.

(*e*) Nothing in the present Article or the Annex hereto shall be deemed to invalidate a transaction lawfully carried out in accordance with a contract between enemies if it has been carried out with the authority of one of the belligerent Powers.

ARTICLE 252.

(*a*) All periods of prescription, or limitation of right of action, whether they began to run before or after the outbreak of war, shall be treated in the territory of the High Contracting Parties, so far as regards relations between enemies, as having been suspended for the duration of the war. They shall begin to run again at earliest three months after the coming into force of the present Treaty. This provision shall apply to the period prescribed for the presentation of interest or dividend coupons or for the presentation for repayment of securities drawn for repayment or repayable on any other ground.

(*b*) Where, on account of failure to perform any act or comply with any formality during the war, measures of execution have been taken in the territory of the former Austrian Empire to the prejudice of a national of an Allied or Associated Power, the claim of such national shall, if the matter does not fall within the competence of the Courts of an Allied or Associated Power, be heard by the Mixed Arbitral Tribunal provided for by Section VI.

(*c*) Upon the application of any interested person who is a national of an Allied or Associated Power the Mixed Arbitral Tribunal shall order the restora-

tion of the rights which have been prejudiced by the measures of execution referred to in paragraph (*b*), wherever, having regard to the particular circumstances of the case, such restoration is equitable and possible.

If such restoration is inequitable or impossible the Mixed Arbitral Tribunal may grant compensation to the prejudiced party to be paid by the Austrian Government.

(*d*) Where a contract between enemies has been dissolved by reason either of failure on the part of either party to carry out its provisions or of the exercise of a right stipulated in the contract itself the party prejudiced may apply to the Mixed Arbitral Tribunal for relief. The Tribunal will have the powers provided for in paragraph (*c*).

(*e*) The provisions of the preceding paragraphs of this Article shall apply to the nationals of Allied and Associated Powers who have been prejudiced by reason of measures referred to above taken by the authorities of the former Austrian Government in invaded or occupied territory, if they have not been otherwise compensated.

(*f*) Austria shall compensate any third party who may be prejudiced by any restitution or restoration ordered by the Mixed Arbitral Tribunal under the provisions of the preceding paragraphs of this Article.

(*g*) As regards negotiable instruments, the period of three months provided under paragraph (*a*) shall commence as from the date on which any exceptional regulations applied in the territories of the interested Power with regard to negotiable instruments shall have definitely ceased to have force.

Article 253.

As between enemies no negotiable instrument made before the war shall be deemed to have become invalid by reason only of failure within the required time to present the instrument for acceptance or payment or to give notice of non-acceptance or non-payment to drawers or indorsers or to protest the instrument, nor by reason of failure to complete any formality during the war.

Where the period within which a negotiable instrument should have been presented for acceptance or for payment, or within which notice of non-acceptance or non-payment should have been given to the drawer or indorser, or within

which the instrument should have been protested, has elapsed during the war, and the party who should have presented or protested the instrument or have given notice of non-acceptance or non-payment has failed to do so during the war, a period of not less than three months from the coming into force of the present Treaty shall be allowed within which presentation, notice of non-acceptance or non-payment or protest may be made.

ARTICLE 254.

Judgments given by the Courts of an Allied or Associated Power in all cases which, under the persent Treaty, they are competent to decide, shall be recognised in Austria as final, and shall be enforced without it being necessary to have them declared executory.

If a judgment or measure of execution in respect of any dispute which may have arisen has been given during the war by a judicial authority of the former Austrian Empire against a national of an Allied or Associated Power, or a company or association in which one of such nationals was interested, in a case in which either such national or such company or association was not able to make their defence, the Allied and Associated national who has suffered prejudice thereby shall be entitled to recover compensation to be fixed by the Mixed Arbitral Tribunal provided for in Section VI.

At the instance of the national of the Allied or Associated Power the compensation above-mentioned may, upon order to that effect of the Mixed Arbitral Tribunal, be effected where it is possible by replacing the parties in the situation which they occupied before the judgment was given by the Austrian Court.

The above compensation may likewise be obtained before the Mixed Arbitral Tribunal by the nationals of Allied or Associated Powers who have suffered prejudice by judicial measures taken in invaded or occupied territories, if they have not been otherwise compensated.

ARTICLE 255.

For the purpose of Sections III, IV, V and VII, the expression "during the war" means for each Allied or Associated Power the period between the

commencement of the state of war between that Power and the former Austro-Hungarian Monarchy and the coming into force of the present Treaty.

ANNEX.

I. General Provisions.

1.

Within the meaning of Articles 251, 252, and 253, the parties to a contract shall be regarded as enemies when trading between them shall have been prohibited by or otherwise became unlawful under laws, orders or regulations to which one of those parties was subject. They shall be deemed to have become enemies from the date when such trading was prohibited or otherwise became unlawful.

2.

The following classes of contracts are excepted from dissolution by Article 251 and, without prejudice to the rights contained in Article 249 (*b*) of Section IV, remain in force subject to the application of domestic laws, orders or regulations made during the war by the Allied and Associated Powers and subject to the terms of the contracts:

(*a*) Contracts having for their object the transfer of estates or of real or personal property where the property therein had passed or the object had been delivered before the parties became enemies;

(*b*) Leases and agreements for leases of land and houses;

(*c*) Contracts of mortgage, pledge, or lien;

(*d*) Concessions concerning mines, quarries or deposits;

(*e*) Contracts between individuals or companies and States, provinces, municipalities, or other similar juridical persons charged with administrative functions, and concessions granted by States, provinces, municipalities, or other similar juridical persons charged with administrative functions.

3.

If the provisions of a contract are in part dissolved under Article 251, the remaining provisions of that contract shall, subject to the same application of

domestic laws as is provided for in paragraph 2, continue in force if they are severable, but where they are not severable the contract shall be deemed to have been dissolved in its entirety.

II. Provisions relating to certain classes of Contracts.

STOCK EXCHANGE AND COMMERCIAL EXCHANGE CONTRACTS.

4.

(*a*) Rules made during the war by any recognised Exchange or Commercial Association providing for the closure of contracts entered into before the war by an enemy are confirmed by the High Contracting Parties, as also any action taken thereunder, provided:

(i.) That the contract was expressed to be made subject to the rules of the Exchange or Association in question;

(ii.) That the rules applied to all persons concerned;

(iii.) That the conditions attaching to the closure were fair and reasonable.

(*b*) The preceding paragraph shall not apply to rules made during the occupation by Exchanges or Commercial Associations in the districts occupied by the enemy.

(*c*) The closure of contracts relating to cotton "futures," which were closed as on July 31, 1914, under the decision of the Liverpool Cotton Association, is also confirmed.

SECURITY.

5.

The sale of a security held for an unpaid debt owing by an enemy shall be deemed to have been valid irrespective of notice to the owner if the creditor acted in good faith and with reasonable care and prudence, and no claim by the debtor on the ground of such sale shall be admitted.

This stipulation shall not apply to any sale of securities effected by an enemy during the occupation in regions invaded or occupied by the enemy.

NEGOTIABLE INSTRUMENTS.

6.

As regards Powers which adopt Section III and the Annex thereto the pecuniary obligations existing between enemies and resulting from the issue of negotiable instruments shall be adjusted in conformity with the said Annex by the instrumentality of the Clearing Offices, which shall assume the rights of the holder as regards the various remedies open to him.

7.

If a person has either before or during the war become liable upon a negotiable instrument in accordance with an undertaking given to him by a person who has subsequently become an enemy, the latter shall remain liable to indemnify the former in respect of his liability notwithstanding the outbreak of war.

III. Contracts of Insurance.

8.

Contracts of insurance entered into by any person with another person who subsequently became an enemy will be dealt with in accordance with the following paragraphs.

FIRE INSURANCE.

9.

Contracts for the insurance of property against fire entered into by a person interested in such property with another person who subsequently became an enemy shall not be deemd to have been dissolved by the outbreak of war, or by the fact of the person becoming an enemy, or on account of the failure during the war and for a period of three months thereafter to perform his obligations under the contract, but they shall be dissolved at the date when the annual premium becomes payable for the first time after the expiration of a period of three months after the coming into force of the present Treaty.

A settlement shall be effected of unpaid premiums which became due during the war or of claims for losses which occurred during the war.

10.

Where by administrative or legislative action an insurance against fire effected before the war has been transferred during the war from the original to another insurer, the transfer will be recognised and the liability of the original insurer will be deemed to have ceased as from the date of the transfer. The original insurer will, however, be entitled to receive on demand full information as to the terms of the transfer, and if it should appear that these terms were not equitable they shall be amended so far as may be necessary to render them equitable.

Furthermore, the insured shall, subject to the concurrence of the original insurer, be entitled to retransfer the contract to the original insurer as from the date of the demand.

LIFE INSURANCE.

11.

Contracts of life insurance entered into between an insurer and a person who subsequently became an enemy shall not be deemed to have been dissolved by the outbreak of war, or by the fact of the person becoming an enemy.

Any sum which during the war became due upon a contract deemed not to have been dissolved under the preceding provision shall be recoverable after the war with the addition of interest at five per cent. per annum from the date of its becoming due up to the day of payment.

Where the contract has lapsed during the war owing to non-payment of premiums, or has become void from breach of the conditions of the contract, the assured or his representatives or the persons entitled shall have the right at any time within twelve months of the coming into force of the present Treaty to claim from the insurer the surrender value of the policy at the date of its lapse or avoidance.

Where the contract has lapsed during the war owing to non-payment of premiums the payment of which has been prevented by the enforcement of measures of war, the assured or his representative or the persons entitled shall have the right to restore the contract on payment of the premiums with interest at five per cent per annum within three months from the coming into force of the present Treaty.

12.

Where contracts of life insurance have been entered into by a local branch of an insurance company established in a country which subsequently became an enemy country, the contract shall, in the absence of any stipulation to the contrary in the contract itself, be governed by the local law, but the insurer shall be entitled to demand from the insured or his representatives the refund of sums paid on claims made or enforced under measures taken during the war, if the making or enforcement of such claims was not in accordance with the terms of the contract itself or was not consistent with the laws or treaties existing at the time when it was entered into.

13.

In any case where by the law applicable to the contract the insurer remains bound by the contract notwithstanding the non-payment of premiums until notice is given to the insured of the termination of the contract, he shall be entitled, where the giving of such notice was prevented by the war, to recover the unpaid premiums with interest at five per cent. per annum from the insured.

14.

Insurance contracts shall be considered as contracts of life assurance for the purpose of paragraphs 11 to 13 when they depend on the probabilities of human life combined with the rate of interest for the calculation of the reciprocal engagements between the two parties.

MARINE INSURANCE.

15.

Contracts of marine insurance including time policies and voyage policies entered into between an insurer and a person who subsequently became an enemy shall be deemed to have been dissolved on his becoming an enemy, except in cases where the risk undertaken in the contract had attached before he became an enemy.

Where the risk had not attached, money paid by way of premium or otherwise shall be recoverable from the insurer.

Where the risk had attached effect shall be given to the contract notwithstanding the party becoming an enemy, and sums due under the contract either by way of premiums or in respect of losses shall be recoverable after the coming into force of the present Treaty.

In the event of any agreement being come to for the payment of interest on sums due before the war to or by the nationals of States which have been at war and recovered after the war, such interest shall in the case of losses recoverable under contracts of marine insurance run from the expiration of a period of one year from the date of the loss.

16.

No contract of marine insurance with an insured person who subsequently became an enemy shall be deemed to cover losses due to belligerent action by the Power of which the insurer was a national or by the Allies or Associates of such Power.

17.

Where it is shown that a person who had before the war entered into a contract of marine insurance with an insurer who subsequently became an enemy entered after the outbreak of war into a new contract covering the same risk with an insurer who was not an enemy, the new contract shall be deemed to be substituted for the original contract as from the date when it was entered into, and the premiums payable shall be adjusted on the basis of the original insurer having remained liable on the contract only up till the time when the new contract was entered into.

OTHER INSURANCES.

18.

Contracts of insurance entered into before the war between an insurer and a person who subsequently became an enemy, other than contracts dealt with in paragraphs 9 to 17, shall be treated in all respects on the same footing as contracts of fire insurance between the same persons would be dealt with under the said paragraphs.

RE-INSURANCE.

19.

All treaties of re-insurance with a person who became an enemy shall be regarded as having been abrogated by the person becoming an enemy, but without prejudice in the case of life or marine risks which had attached before the war to the right to recover payment after the war for sums due in respect of such risks.

Nevertheless if, owing to invasion, it has been impossible for the re-insured to find another re-insurer, the treaty shall remain in force until three months after the coming into force of the present Treaty.

Where a re-insurance treaty becomes void under this paragraph, there shall be an adjustment of accounts between the parties in respect both of premiums paid and payable and of liabilities for losses in respect of life or marine risks which had attached before the war. In the case of risks other than those mentioned in paragraphs 11 to 17 the adjustment of accounts shall be made as at the date of the parties becoming enemies without regard to claims for losses which may have occurred since that date.

20.

The provisions of the preceding paragraph will extend equally to re-insurances, existing at the date of the parties becoming enemies, of particular risks undertaken by the insurer in a contract of insurance against any risks other than life or marine risks.

21.

Re-insurance of life risks effected by particular contracts and not under any general treaty remain in force.

22.

In case of a re-insurance effected before the war of a contract of marine insurance, the cession of a risk which had been ceded to the re-insurer shall, if it had attached before the outbreak of war, remain valid and effect be given to

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the contract notwithstanding the outbreak of war; sums due under the contract of re-insurance in respect either of premiums or of losses shall be recoverable after the war.

23.

The provisions of paragraph 16 and 17 and the last part of paragraph 15 shall apply to contracts for the re-insurance of marine risks.

SECTION VI.—*Mixed Arbitral Tribunal.*

ARTICLE 256.

(*a*) Within three months from the coming into force of the present Treaty, a Mixed Arbitral Tribunal shall be established between each of the Allied and Associated Powers on the one hand and Austria on the other hand. Each such Tribunal shall consist of three members. Each of the Governments concerned shall appoint one of these members. The President shall be chosen by agreement between the two Governments concerned.

In case of failure to reach agreement, the President of the Tribunal and two other persons, either of whom may in case of need take his place, shall be chosen by the Council of the League of Nations, or, until this is set up, by M. Gustave Ador if he is willing. These persons shall be nationals of Powers that have remained neutral during the war.

If in case there is a vacancy a Government does not proceed within a period of one month to appoint as provided above a member of the Tribunal, such member shall be chosen by the other Government from the two persons mentioned above other than the President.

The decision of the majority of the members of the Tribunal shall be the decision of the Tribunal.

(*b*) The Mixed Arbitral Tribunals established pursuant to paragraph (*a*) shall decide all questions within their competence under Sections III, IV, V and VII.

In addition, all questions, whatsoever their nature, relating to contracts concluded before the coming into force of the present Treaty between nationals of the Allied and Associated Powers and Austrian nationals shall be decided

by the Mixed Arbitral Tribunal, always excepting questions which, under the laws of the Allied, Associated or Neutral Powers, are within the jurisdiction of the National Courts of those Powers. Such questions shall be decided by the National Courts in question, to the exclusion of the Mixed Arbitral Tribunal. The party who is a national of an Allied or Associated Power may nevertheless bring the case before the Mixed Arbitral Tribunal if this is not prohibited by the laws of his country.

(*c*) If the number of cases justifies it, additional members shall be appointed and each Mixed Arbitral Tribunal shall sit in divisions. Each of these divisions will be constituted as above.

(*d*) Each Mixed Arbitral Tribunal will settle its own procedure except in so far as it is provided in the following Annex, and is empowered to award the sums to be paid by the loser in respect of the costs and expenses of the proceedings.

(*e*) Each Government will pay the remuneration of the member of the Mixed Arbitral Tribunal appointed by it and of any agent whom it may appoint to represent it before the Tribunal. The remuneration of the President will be determined by special agreement between the Governments concerned; and this remuneration and the joint expenses of each Tribunal will be paid by the two Governments in equal moieties.

(*f*) The High Contracting Parties agree that their courts and authorities shall render to the Mixed Arbitral Tribunals direct all the assistance in their power, particularly as regards transmitting notices and collecting evidence.

(*g*) The High Contracting Parties agree to regard the decisions of the Mixed Arbitral Tribunal as final and conclusive, and to render them binding upon their nationals.

ANNEX.

1.

Should one of the members of the Tribunal either die, retire, or be unable for any reason whatever to discharge his functions, the same procedure will be followed for filling the vacancy as was followed for appointing him.

2.

The Tribunal may adopt such rules of procedure as shall be in accordance with justice and equity and decide the order and time at which each party must conclude its arguments, and may arrange all formalities required for dealing with the evidence.

3.

The agent and counsel of the parties on each side are authorized to present orally and in writing to the Tribunal arguments in support or in defence of each case.

4.

The Tribunal shall keep record of the questions and cases submitted and the proceedings hereon, with the dates of such proceedings.

5.

Each of the Powers concerned may appoint a secretary. These secretaries shall act together as joint secretaries of the Tribunal and shall be subject to its direction. The tribunal may appoint and employ any other necessary officer or officers to assist in the performance of its duties.

6.

The Tribunal shall decide all questions and matters submitted upon such evidence and information as may be furnished by the parties concerned.

7.

The High Contracting Parties agree to give the Tribunal all facilities and information required by it for carrying out its investigations.

8.

The language in which the proceedings shall be conducted shall, unless otherwise agreed, be English, French, Italian or Japanese, as may be determined by the Allied or Associated Power concerned.

9.

The place and time for the meetings of each Tribunal shall be determined by the President of the Tribunal.

ARTICLE 257.

Whenever a competent court has given or gives a decision in a case covered by Sections III, IV, V, or VII, and such decision is inconsistent with the provisions of such Sections, the party who is prejudiced by the decision shall be entitled to obtain redress which shall be fixed by the Mixed Arbitral Tribunal. At the request of the national of an Allied or Associated Power, the redress may, whenever possible, be effected by the Mixed Arbitral Tribunal directing the replacement of the parties in the position occupied by them before the judgment was given by the court of the former Austrian Empire.

SECTION VII.—*Industrial property.*

ARTICLE 258.

Subject to the stipulations of the present Treaty, rights of industrial, literary and artistic property, as such property is defined by the International Conventions of Paris and of Berne, mentioned in Articles 237 and 239, shall be re-established or restored, as from the coming into force of the present Treaty, in the territories of the High Contracting Parties, in favour of the persons entitled to the benefit of them at the moment when the state of war commenced, or their legal representatives. Equally, rights which, except for the war, would have been acquired during the war in consequence of an application made for the protection of industrial property, or the publication of a literary or artistic work, shall be recognized and established in favour of those persons who would have been entitled thereto, from the coming into force of the present Treaty.

Nevertheless, all acts done by virtue of the special measures taken during the war under legislative, executive or administrative authority of any Allied or Associated Power in regard to the rights of nationals of the former Austrian Empire in industrial, literary or artistic property shall remain in force and shall continue to maintain their full effect.

No claim shall be made or action brought by Austria or Austrian nationals or by or on behalf of nationals of the former Austrian Empire in respect of the use during the war by the Government of any Allied or Associated Power, or by any persons acting on behalf or with the assent of such Government of any rights in industrial, literary or artistic property, nor in respect of the sale, offering for sale, or use of any products, articles or apparatus whatsoever to which such rights applied.

Unless the legislation of any one of the Allied or Associated Powers in force at the moment of the signature of the present Treaty otherwise directs, sums due or paid in respect of the property of persons referred to in Article 249 (*b*) and in virtue of any act or operation resulting from the execution of the special measures mentioned in the second paragraph of this Article shall be dealt with in the same way as other sums due to such persons are directed to be dealt with by the present Treaty; and sums produced by any special measures taken by the Government of the former Austrian Empire in respect of rights in industrial, literary or artistic property belonging to the nationals of the Allied or Associated Powers shall be considered and treated in the same way as other debts due from Austrian nationals.

Each of the Allied and Associated Powers reserves to itself the right to impose such limitations, conditions, or restrictions on rights of industrial, literary or artistic property (with the exception of trade-marks) acquired before or during the war, or which may be subsequently acquired in accordance with its legislation, by Austrian nationals, whether by granting licences, or by the working, or by preserving control over their exploitation, or in any other way, as may be considered necessary for national defence, or in the public interest, or for assuring the fair treatment by Austria of the rights of industrial, literary and artistic property held in Austrian territory by its nationals, or for securing the due fulfilment of all obligations undertaken by Austria in the present Treaty. As regards rights of industrial, literary and artistic property acquired after the coming into force of the present Treaty, the right so reserved by the Allied and Associated Powers shall only be exercised in cases where these limitations, conditions or restrictions may be considered necessary for national defence or in the public interest.

In the event of the application of the provisions of the preceding paragraph by any Allied or Associated Power, there shall be paid reasonable indemnities or royalties, which shall be dealt with in the same way as other sums due to Austrian nationals are directed to be dealt with by the present Treaty.

Each of the Allied or Associated Powers reserves the right to treat as void and of no effect any transfer in whole or in part of or other dealing with rights of or in respect of industrial, literary, or artistic property effected after July 28, 1914, or in future which would have the result of defeating the objects of the provisions of this Article.

The provisions of this Article shall not apply to rights in industrial, literary or artistic property which have been dealt with in the liquidation of businesses or companies under war legislation by the Allied or Associated Powers, or which may be so dealt with by virtue of Article 249, paragraph (*b*).

ARTICLE 259.

A minimum of one year after the coming into force of the present Treaty shall be accorded to the nationals of the High Contracting Parties, without extension fees or other penalty, in order to enable such persons to accomplish any act, fulfil any formality, pay any fees, and generally satisfy any obligation prescribed by the laws or regulations of the respective States relating to the obtaining, preserving, or opposing rights to, or in respect of, industrial property either acquired before July 28, 1914, or which, except for the war, might have been acquired since that date as a result of an application made before the war or during its continuance, but nothing in this Article shall give any right to reopen interference proceedings in the United States of America where a final hearing has taken place.

All rights in, or in respect of, such property which may have lapsed by reason of any failure to accomplish any act, fulfil any formality, or make any payment, shall revive, but subject in the case of patents and designs to the imposition of such conditions as each Allied or Associated Power may deem reasonably necessary for the protection of persons who have manufactured or made use of the subject matter of such property while the rights had lapsed. Further, where rights to patents or designs belonging to Austrian nationals

are revived under this Article, they shall be subject in respect of the grant of licences to the same provisions as would have been applicable to them during the war, as well as to all the provisions of the present Treaty.

The period from July 28, 1914, until the coming into force of the present Treaty shall be excluded in considering the time within which a patent should be worked or a trade mark or design used, and it is further agreed that no patent, registered trade mark or design in force on July 28, 1914, shall be subject to revocation or cancellation by reason only of the failure to work such patent or use such trade mark or design for two years after the coming into force of the present Treaty.

ARTICLE 260.

The rights of priority provided by Article IV of the International Convention for the Protection of Industrial Property of Paris of March 20, 1883, revised at Washington in 1911, or by any other Convention or Statute, for the filing or registration of applications for patents or models of utility, and for the registration of trade marks, designs and models which had not expired on July 28, 1914, and those which have arisen during the war, or would have arisen but for the war, shall be extended by each of the High Contracting Parties in favour of all nationals of the other High Contracting Parties for a period of six months after the coming into force of the present Treaty.

Nevertheless, such extension shall in no way affect the right of any of the High Contracting Parties or of any person who before the coming into force of the present Treaty was *bona fide* in possession of any rights of industrial property conflicting with rights applied for by another who claims rights of priority in respect of them, to exercise such rights by itself or himself personally, or by such agents or licensees as derived their rights from it or him before the coming into force of the present Treaty; and such persons shall not be amenable to any action or other process of law in respect of infringement.

ARTICLE 261.

No action shall be brought and no claim made by nationals of the former Austrian Empire, or by persons residing or carrying on business within the territory of that Empire on the one part, and on the other part by persons residing or

carrying on business in the territory of the Allied or Associated Powers, or persons who are nationals of such Powers respectively, or by any one deriving title during the war from such persons, by reason of any action which has taken place within the territory of the other party between the date of the existence of a state of war and that of the coming into force of the present Treaty, which might constitute an infringement of the rights of industrial property or rights of literary and artistic property, either existing at any time during the war or revived under the provisions of Articles 259 and 260.

Equally, no action for infringement of industrial, literary or artistic property rights by such persons shall at any time be permissible in respect of the sale or offering for sale for a period of one year after the signature of the present Treaty in the territories of the Allied or Associated Powers on the one hand or Austria on the other, of products or articles manufactured, or of literary or artistic works published, during the period between the existence of a state of war and the signature of the present Treaty, or against those who have acquired and continue to use them. It is understood, nevertheless, that this provision shall not apply when the possessor of the rights was domiciled or had an industrial or commercial establishment in the districts occupied by the Austro-Hungarian armies during the war.

This Article shall not apply as between the United States of America on the one hand and Austria on the other.

Article 262.

Licences in respect of industrial, literary or artistic property concluded before the war between nationals of the Allied or Associated Powers or persons residing in their territory or carrying on business therein, on the one part, and nationals of the former Austrian Empire, on the other part, shall be considered as cancelled as from the date of the existence of a state of war between the former Austro-Hungarian Monarchy and the Allied or Associated Powers. But, in any case, the former beneficiary of a contract of this kind shall have the right, within a period of six months after the coming into force of the present Treaty, to demand from the proprietor of the rights the grant of a new licence, the conditions of which, in default of agreement

between the parties, shall be fixed by the duly qualified tribunal in the country under whose legislation the rights had been acquired, except in the case of licences held in respect of rights acquired under the law of the former Austrian Empire. In such cases the conditions shall be fixed by the Mixed Arbitral Tribunal referred to in Section VI of this Part. The Tribunal may, if necessary, fix also the amount which it may deem just should be paid by reason of the use of the rights during the war.

No licence in respect of industrial, literary or artistic property, granted under the special war legislation of any Allied or Associated Power, shall be affected by the continued existence of any licence entered into before the war, but shall remain valid and of full effect, and a licence so granted to the former beneficiary of a licence entered into before the war shall be considered as substituted for such licence.

Where sums have been paid during the war in respect of the rights of persons referred to in Article 249 (*b*) and by virtue of a licence or agreement concluded before the war in respect of rights of industrial property or for the reproduction or the representation of literary, dramatic or artistic works, these sums shall be dealt with in the same manner as other debts or credits of such persons as provided by the present Treaty.

This Article shall not apply as between the United States of America on the one hand and Austria on the other.

SECTION VIII.—*Special provisions relating to transferred territory.*

ARTICLE 263.

Of the individuals and juridical persons previously nationals of the former Austrian Empire, including Bosnia-Herzegovinians, those who acquire *ipso facto* under the present Treaty the nationality of an Allied or Associated Power are designated in the provisions which follow by the expression "nationals of the former Austrian Empire"; the remainder are designated by the expression "Austrian nationals."

ARTICLE 264.

The inhabitants of territories transferred by virtue of the present Treaty shall, notwithstanding this transfer and the change of nationality consequent thereon, continue to enjoy in Austria all the rights in industrial, literary and artistic property to which they were entitled under the legislation in force at the time of the transfer.

ARTICLE 265.

The questions concerning the nationals of the former Austrian Empire, as well as Austrian nationals, their rights, privileges and property, which are not dealt with in the present Treaty, or in the Treaty prepared for the purpose of regulating certain immediate relations between the States to which territory of the former Austro-Hungarian Monarchy has been transferred, or arising from the dismemberment of that Monarchy, shall form the subject of special conventions between the States concerned, including Austria; such conventions shall not in any way conflict with the provisions of the present Treaty. For this purpose it is agreed that three months from the coming into force of the present Treaty a Conference of delegates of the States in question shall take place.

ARTICLE 266.

The Austrian Government shall without delay restore to nationals of the former Austrian Empire their property, rights and interests situated in Austrian territory.

The amount of taxes and imposts on capital which have been levied or increased on the property, rights and interests of nationals of the former Austrian Empire since November 3, 1918, or which shall be levied or increased until restitution in accordance with the provisions of the present Treaty, or, in the case of property, rights and interests which have not been subjected to exceptional measures of war, until three months from the coming into force of the present Treaty, shall be returned to the owners.

The property, rights, and interests restored shall not be subject to any tax levied in respect of any other property or any other business owned by the same person after such property had been removed from Austria, or such business

had ceased to be carried on therein. If taxes of any kind have been paid in anticipation in respect of property, rights and interests removed from Austria, the proportion of such taxes paid for any period subsequent to the removal of the property, rights and interests in question shall be returned of the owners.

Cash assets shall be paid in the currency and at the rate of exchange provided for the case of debts under Articles 248 (*d*) and 271.

Legacies, donations and funds given or established in the former Austro-Hungarian Monarchy for the benefit of nationals of the former Austrian Empire shall be placed by Austria, so far as the funds in question are in her territory, at the disposition of the Allied or Associated Power of which the persons in question are now nationals, in the condition in which these funds were on July 28, 1914, taking account of payments properly made for the purpose of the Trust.

ARTICLE 267.

Notwithstanding the provisions of Article 249 and the Annex to Section IV the property, rights and interests of Austrian nationals or companies controlled by them situated in the territories which formed part of the former Austro-Hungarian Monarchy shall not be subject to retention or liquidation in accordance with these provisions. Such property, rights and interests shall be restored to their owners freed from any measure of this kind, or from any other measure of transfer, compulsory administration or sequestration, taken since November 3, 1918, until the coming into force of the present Treaty, in the condition in which they were before the application of the measures in question.

The property, rights and interests here referred to do not include property which is the subject of Article 208 of Part IX (Financial Clauses).

Nothing in this Article shall affect the provisions laid down in Part VIII (Reparation) Section I, Annex III as to property of Austrian nationals in ships and boats.

ARTICLE 268.

All contracts for the sale of goods for delivery by sea concluded before January 1, 1917, between nationals of the former Austrian Empire on the one

part and the administrations of the former Austro-Hungarian Monarchy, Austria, or Bosnia-Herzegovina, or Austrian nationals of the other part shall be annulled, except in respect of any debt or other pecuniary obligation arising out of any act done or money paid thereunder. All other contracts between such parties which were made before November 1, 1918, and were in force at that date shall be maintained.

ARTICLE 269.

With regard to prescriptions, limitations, and forfeitures in the transferred territories, the provisions of Articles 252 and 253 shall be applied with substitution for the expression "outbreak of war" of the expression "date, which shall be fixed by administrative decision of each Allied or Associated Power, at which relations between the parties became impossible in fact or in law," and for the expression "duration of the war" of the expression "period between the date above indicated and that of the coming into force of the present Treaty."

ARTICLE 270.

Austria undertakes not to impede in any way the transfer of property, rights or interests belonging to a company incorporated in accordance with the laws of the former Austro-Hungarian Monarchy, in which Allied or Associated nationals are interested, to a company incorporated in accordance with the laws of any other Power, to facilitate all measures necessary for giving effect to such transfer, and to render any assistance which may be required for effecting the restoration to Allied or Associated nationals, or to companies in which they are interested, of their property, rights or interests whether in Austria or in transferred territory.

ARTICLE 271.

Section III, except Article 248 (d), shall not apply to debts contracted between Austrian nationals and nationals of the former Austrian Empire.

Subject to the special provisions laid down in Article 248 (d) for the case of the new States, these debts shall be paid in the legal currency at the time of payment of the State of which the national of the former Austrian Empire

has become a national, and the rate of exchange applicable shall be the average rate quoted on the Geneva Exchange during the two months preceding November 1, 1918.

ARTICLE 272.

Insurance companies whose principal place of business was in territory which previously formed part of the former Austro-Hungarian Monarchy shall have the right to carry on their business in Austrian territory for a period of ten years from the coming into force of the present Treaty, without the rights which they previously enjoyed being affected in any way by the change of nationality.

During the above period the operations of such companies shall not be subjected by Austria to any higher tax or charge than shall be imposed on the operations of national companies. No measure in derogation of their rights of property shall be imposed upon them which is not equally applied to the property, rights or interests of Austrian insurance companies; adequate compensation shall be paid in the event of the application of any such measures.

These provisions shall only apply so long as Austrian insurance companies previously carrying on business in the transferred territories, even if their principal place of business was outside such territories, are reciprocally accorded a similar right to carry on their business therein.

After the period of ten years above referred to, the provisions of Article 228 of this Part of the present Treaty shall apply in regard to the Allied and Associated companies in question.

ARTICLE 273.

Special agreements will determine the division of the property of associations or public corporations carrying on their functions in territory which is divided in consequence of the present Treaty.

ARTICLE 274.

A special convention shall determine all questions relative to the records, registers and copies in connection with the protection of industrial, literary or artistic property, and fix their eventual transmission or communication by the

Offices of the former Austro-Hungarian Monarchy to the Offices of the States to which are transferred territory of the said Monarchy and to the Offices of new States.

States to which territory of the former Austro-Hungarian Monarchy is transferred, and States arising from the dismemberment of that Monarchy, shall recognize and give effect to rights of industrial, literary and artistic property in force in the territory at the time when it passes to the State in question, or re-established or restored in accordance with the provisions of Article 258. These rights shall remain in force in that territory for the same period as that for which they would have remained in force under the law of the former Austro-Hungarian Monarchy.

ARTICLE 275.

Without prejudice to other provisions of the present Treaty, the Austrian Government undertakes so far as it is concerned to hand over to any Power to which territory of the former Austro-Hungarian Monarchy is transferred, or which arises from the dismemberment of that Monarchy, such portion of the reserves accumulated by the Governments or the administrations of the former Austro-Hungarian Monarchy, or by public or private organisations under their control, as is attributable to the carrying on of Social or State Insurance in such territory.

The Powers to which these funds are handed over must apply them to the performance of the obligations arising from such insurances.

The conditions of the delivery will be determined by special conventions to be concluded between the Austrian Government and the Governments concerned.

In case these special conventions are not concluded in accordance with the above paragraph within three months after the coming into force of the present Treaty, the conditions of transfer shall in each case be referred to a Commission of five members, one of whom shall be appointed by the Austrian Government, one by the other interested Government and three by the Governing Body of the International Labour Office from the nationals of other States. This Commission shall by majority vote within three months after appointment adopt

recommendations for submission to the Council of the League of Nations, and the decisions of the Council shall forthwith be accepted as final by Austria and the other Government concerned.

PART XI.

AERIAL NAVIGATION.

ARTICLE 276.

The aircraft of the Allied and Associated Powers shall have full liberty of passage and landing over and in the territory of Austria and shall enjoy the same privileges as Austrian aircraft, particularly in case of distress.

ARTICLE 277.

The aircraft of the Allied and Associated Powers shall, while in transit to any foreign country whatever, enjoy the right of flying over the territory of Austria without landing, subject always to any regulations which may be made by Austria, and which shall be applicable equally to the aircraft of Austria and to those of the Allied and Associated countries.

ARTICLE 278.

All aerodromes in Austria open to national public traffic shall be open for the aircraft of the Allied and Associated Powers, and in any such aerodrome such aircraft shall be treated on a footing of equality with Austrian aircraft as regards charges of every description, including charges for landing and accommodation.

ARTICLE 279.

Subject to the present provisions, the rights of passage, transit and landing provided for in Articles 276, 277 and 278 are subject to the observance of such regulations as Austria may consider it necessary to enact, but such regulations shall be applied without distinction to Austrian aircraft and to those of the Allied and Associated countries.

ARTICLE 280.

Certificates of nationality, airworthiness, or competency and licenses issued or recognised as valid by any of the Allied or Associated Powers, shall be recognised in Austria as valid and as equivalent to the certificates and licenses issued by Austria.

ARTICLE 281.

As regards internal commercial air traffic, the aircraft of the Allied and Associated Powers shall enjoy in Austria most favoured nation treatment.

ARTICLE 282.

Austria undertakes to enforce the necessary measures to ensure that all Austrain aircraft flying over her territory shall comply with the Rules as to lights and signals, Rules of the Air and Rules for Air Traffic on and in the neighbourhood of aerodromes, which have been laid own in the Convention relative to Aerial Navigation concluded between the Allied and Associated Powers.

ARTICLE 283.

The obligations imposed by the preceding provisions shall remain in force until January 1, 1923, unless before that date Austria shall have been admitted into the League of Nations or shall have been authorized by consent of the Allied and Associated Powers to adhere to the Convention relative to Aerial Navigation concluded between those Powers.

PART XII.

PORTS, WATERWAYS AND RAILWAYS.

SECTION I.—*General Provisions.*

ARTICLE 284.

Austria undertakes to grant freedom of transit through her territories on the routes most convenient for international transit, either by rail, navigable waterway or canal, to persons, goods, vessels, carriages, wagons and mails coming

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from or going to the territories of any of the Allied and Associated Powers, whether contiguous or not.

Such persons, goods, vessels, carriages, wagons and mails shall not be subjected to any transit duty or to any undue delays or restriction, and shall be entitled in Austria to national treatment as regards charges, facilities and all other matters.

Goods in tranist shall be exempt from all customs or other similar duties.

All charges imposed on transport in transit shall be reasonable, having regard to the conditions of the traffic. No charge, facility or restriction shall depend directly or indirectly on the ownership or on the nationality of the ship or other means of transport on which any part of the through journey has been, or is to be, accomplished.

ARTICLE 285.

Austria undertakes neither to impose nor to maintain any control over transmigration traffic through her territories beyond measures necessary to ensure that passengers are *bona fide* in transit; nor to allow any shipping company or any other private body, corporation or person interested in the traffic to take any part whatever in, or to exercise any direct or indirect influence over, any administrative service that may be necessary for this purpose.

ARTICLE 286.

Austria undertakes to make no discrimination or preference, direct or indirect, in the duties, charges and prohibitions relating to importations into or exportations from her territories, or, subject to the special engagements contained in the present Treaty, in the charges and conditions of transport of goods or persons entering or leaving her territories based on the frontier crossed; or on the kind, ownership, or flag of the means of transport (including aircraft) employed; or on the original or immediate place of departure of the vessel, wagon or aircraft or other means of transport employed, or its ultimate or intermediate destination; or on the route of or places of trans-shipment on the journey; or on whether the goods are imported or exported directly through an Austrian port or indirectly through a foreign port; or on whether the goods are imported or exported by land or by air.

Austria particularly undertakes not to establish against the ports and vessels of any of the Allied and Associated Powers any surtax or any direct or indirect bounty for export or import by Austrian ports or ships, or by those of another Power, for example by means of combined tariffs. She further undertakes that persons or goods passing through a port or using a vessel of any of the Allied and Associated Powers shall not be subjected to any formality or delay whatever to which such persons or goods would not be subjected if they passed through an Austrian port or a port of any other Power, or used an Austrian vessel or a vessel of any other Power.

ARTICLE 287.

All necessary administrative and technical measures shall be taken to expedite, as much as possible, the transmission of goods across the Austrian frontiers and to ensure their forwarding and transport from such frontiers, irrespective of whether such goods are coming from or going to the territories of the Allied and Associated Powers or are in transit from or to those territories, under the same material conditions in such matters as rapidity of carriage and care *en route* as are enjoyed by other goods of the same kind carried on Austrian territory under similar conditions of transport.

In particular, the transport of perishable goods shall be promptly and regularly carried out, and the customs formalities shall be effected in such a way as to allow the goods to be carried straight through by trains which make connection.

ARTICLE 288.

The seaports of the Allied and Associated Powers are entitled to all favours and to all reduced tariffs granted on Austrian railways or navigable waterways for the benefit of any port of another Power.

ARTICLE 289.

Austria may not refuse to participate in the tariffs or combinations of tariffs intended to secure for ports of any of the Allied and Associated Powers advantages similar to those granted by Austria to the ports of any other Power.

SECTION II.—*Navigation.*

CHAPTER 1.—FREEDOM OF NAVIGATION.

ARTICLE 290.

The nationals of any of the Allied and Associated Powers as well as their vessels and property shall enjoy in all Austrian ports and on the inland navigation routes of Austria the same treatment in all respects as Austrian nationals, vessels and property.

In particular the vessels of any one of the Allied or Associated Powers shall be entitled to transport goods of any description, and passengers, to or from any ports or places in Austrian territory to which Austrian vessels may have access, under conditions which shall not be more onerous than those applied in the case of national vessels; they shall be treated on a footing of equality with national vessels as regards port and harbour facilities and charges of every description, including facilities for stationing, loading and unloading, and duties and charges of tonnage, harbour, pilotage, lighthouse, quarantine, and all analogous duties and charges of whatsoever nature, levied in the name of or for the profit of the Government, public functionaries, private individuals, corporations or establishments of any kind.

In the event of Austria granting a preferential régime to any of the Allied or Associated Powers or to any other foreign Power, this régime shall be extended immediately and unconditionally to all the Allied and Associated Powers.

There shall be no impediment to the movement of persons or vessels other than those arising from prescriptions concerning customs, police, sanitation, emigration and immigration, and those relating to the import and export of prohibited goods. Such regulations must be reasonable and uniform and must not impede traffic unnecessarily.

CHAPTER 2.—CLAUSES RELATING TO THE DANUBE.

1. General clauses relating to river systems declared international.

ARTICLE 291.

The following river is declared international: the Danube from Ulm; together with all navigable parts of this river system which naturally provide

more than one State with access to the sea, with or without transhipment from one vessel to another, as well as the portion of the course of the Morava (March) and the Thaya (Theiss) forming the frontier between Czecho-Slovakia and Austria, and lateral canals and channels constructed either to duplicate or to improve naturally navigable sections of the specified river system or to connect two naturally navigable sections of the same river.

The same shall apply to the Rhine-Danube navigable waterway, should such a waterway be constructed, under the conditions laid down in Article 308.

Any part of the above-mentioned river system which is not included in the general definition may be declared international by an agreement between the riparian States.

ARTICLE 292.

On the waterways declared to be international in the preceding Article, the nationals, property and flags of all Powers shall be treated on a footing of perfect equality, no distinction being made to the detriment of the nationals, property or flag of any power between them and the nationals, property or flag of the riparian State itself or of the most favoured nation.

ARTICLE 293.

Austrian vessels shall not be entitled to carry passengers or goods by regular services between the ports of any Allied or Associated Power, without special authority from such Power.

ARTICLE 294.

Where such charges are not precluded by any existing convention, charges varying on different sections of a river may be levied on vessels using the navigable channels or their approaches, provided that they are intended solely to cover equitably the cost of maintaining in a navigable condition, or of improving, the river and its approaches, or to meet expenditure incurred in the interests of navigation. The schedule of such charges shall be calculated on the basis of such expenditure and shall be posted up in the ports. These charges shall be levied in such a manner as to render any detailed examination of cargoes unnecessary, except in cases of suspected fraud or contravention.

ARTICLE 295.

The transit of vessels, passengers and goods on these waterways shall be effected in accordance with the general conditions prescribed for transit in Section I above.

When the two banks of an international river are within the same State goods in transit may be placed under seal or in the custody of customs agents. When the river forms a frontier goods and passengers in transit shall be exempt from all customs formalities; the loading and unloading of goods, and the embarkation and disembarkation of passengers, shall only take place in the ports specified by the riparian State.

ARTICLE 296.

No dues of any kind other than those provided for in this Part shall be levied along the course or at the mouth of these waterways.

This provision shall not prevent the fixing by the riparian States of customs, local octroi or consumption duties, or the creation of reasonable and uniform charges levied in the ports, in accordance with public tariffs, for the use of cranes, elevators, quays, warehouses, and other similar construction.

ARTICLE 297.

In default of any special organisation for carrying out the works connected with the upkeep and improvement of the international portion of a navigable system, each riparian State shall be bound to take the necessary measures to remove any obstacle or danger to navigation and to ensure the maintenance of good conditions of navigation.

If a State neglects to comply with this obligation any riparian State, or any State represented on the International Commission, may appeal to the tribunal instituted for this purpose by the League of Nations.

ARTICLE 298.

The same procedure shall be followed in the case of a riparian State undertaking any works of a nature to impede navigation in the international section. The tribunal mentioned in the preceding Article shall be entitled to enforce the

suspension or suppression of such works, making due allowance in its decisions for all rights in connection with irrigation, water-power, fisheries, and other national interests, which, with the consent of all the riparian States or of all the States represented on the International Commission, shall be given priority over the requirements of navigation.

Appeal to the tribunal of the League of Nations does not require the suspension of the works.

ARTICLE 299.

The régime set out in Articles 292 and 294 to 298 above shall be superseded by one to be laid down in a General Convention drawn up by the Allied and Associated Powers, and approved by the League of Nations, relating to the waterways recognised in such Convention as having an international character. This Convention shall apply in particular to the whole or part of the above-mentioned river system of the Danube, and such other parts of that river system as may be covered by a general definition.

Austria undertakes, in accordance with the provisions of Article 331, to adhere to the said General Convention.

ARTICLE 300.

Austria shall cede to the Allied and Associated Powers concerned, within a maximum period of three months from the date on which notification shall be given her, a proportion of the tugs and vessels remaining registered in the ports of the river system referred to in Article 291 after the deduction of those surrendered by way of restitution or reparation. Austria shall in the same way cede material of all kinds necessary to the Allied and Associated Powers concerned for the utilisation of that river system.

The number of the tugs and boats, and the amount of the material so ceded, and their distribution, shall be determined by an arbitrator or arbitrators nominated by the United States of America, due regard being had to the legitimate needs of the parties concerned, and particularly to the shipping traffic during the five years preceding the war.

All craft so ceded shall be provided with their fittings and gear, shall be in a good state of repair and in condition to carry goods, and shall be selected from among those most recently built.

Wherever the cessions made under the present Article involve a change of ownership, the arbitrator or arbitrators shall determine the rights of the former owners as they stood on October 15, 1918, and the amount of the compensation to be paid to them, and shall also direct the manner in which such payment is to be effected in each case. If the arbitrator or arbitrators find that the whole or part of this sum will revert directly or indirectly to States from whom reparation is due, they shall decide the sum to be placed under this head to the credit of the said States.

As regards the Danube the arbitrator or arbitrators referred to in this Article will also decide all questions as to the permanent allocation and the conditions thereof of the vessels whose ownership or nationality is in dispute between States. Pending final allocation the control of these vessels shall be vested in a Commission consisting of Representatives of the United States of America, the British Empire, France and Italy, who will be empowered to make provisional arrangements for the working of these vessels in the general interest by any local organisation, or failing such arrangements by themselves, without prejudice to the final allocation.

As far as possible these provisional arrangements will be on a commercial basis, the net receipts by the Commission for the hire of these vessels being disposed of as directed by the Reparation Commission.

2. Special clauses relating to the Danube.

ARTICLE 301.

The European Commission of the Danube reassumes the powers it possessed before the war. Nevertheless, as a provisional measure, only representatives of Great Britain, France, Italy and Roumania shall constitute this Commission.

ARTICLE 302.

From the point where the competence of the European Commission ceases, the Danube system referred to in Article 291 shall be placed under the administration of an International Commission composed as follows:

2 representatives of German riparian States;

1 representative of each other riparian State;

1 representative of each non-riparian State represented in the future on the European Commission of the Danube.

If certain of these representatives cannot be appointed at the time of the coming into force of the present Treaty, the decisions of the Commission shall nevertheless be valid.

ARTICLE 303.

The International Commission provided for in the preceding Article shall meet as soon as possible after the coming into force of the present Treaty, and shall undertake provisionally the adminstration of the river in conformity with the provisions of Articles 292 and 294 to 298, until such time as a definitive statute regarding the Danube is concluded by the Powers nominated by the Allied and Associated Powers.

The decisions of this International Commission shall be taken by a majority vote. The salaries of the Commissioners shall be fixed and paid by their respective countries.

As a provisional measure any deficit in the administrative expense of this International Commission shall be borne equally by the States represented on the Commission.

In particular this Commission shall regulate the licensing of pilots, charges for pilotage and the administration of the pilot service.

ARTICLE 304.

Austria agrees to accept the régime which shall be laid down for the Danube by a Conference of the Powers nominated by the Allied and Associated Powers, which shall meet within one year after the coming into force of the present Treaty, and at which Austrian representatives may be present.

ARTICLE 305.

The mandate given by Article 57 of the Treaty of Berlin of July 13, 1878, to Austria-Hungary, and transferred by her to Hungary, to carry out works at the Iron Gates, is abrogated. The Commission entrusted with the administration of this part of the river shall lay down provisions for the settlement of accounts subject to the financial provisions of the present Treaty. Charges which may be necessary shall in no case be levied by Hungary.

ARTICLE 306.

Should the Czecho-Slovak State, the Serb-Croat-Slovene State, or Roumania, with the authorisation of or under mandate from the International Commission, undertake maintenance, improvement, weir, or other works on a part of the river system which forms a frontier, these States shall enjoy on the opposite bank, and also on the part of the bed which is outside their territory, all necessary facilities for the survey, execution and maintenance of such works.

ARTICLE 307.

Austria shall be obliged to make to the European Commission of the Danube all restitutions, reparations and indemnities for damages inflicted on the Commission during the war.

ARTICLE 308.

Should a deep-draught Rhine-Danube navigable waterway be constructed, Austria hereby undertakes to accept the application to the said navigable waterway of the same régime as that prescribed in Articles 292 and 294 to 299 of the present Treaty.

CHAPTER III.—HYDRAULIC SYSTEM.

ARTICLE 309.

In default of any provisions to the contrary, when as the result of the fixing of a new frontier the hydraulic system (canalisation, inundations, irrigation, drainage, or similar matters) in a State is dependent on works executed within the territory of another State, or when use is made on the territory of a

State, in virtue of prewar usage, of water or hydraulic power, the source of which is on the territory of another State, an agreement shall be made between the States concerned to safeguard the interests and rights acquired by each of them.

Failing an agreement, the matter shall be regulated by an arbitrator appointed by the Council of the League of Nations.

Article 310.

Unless otherwise provided, when use is made for municipal or domestic purposes in one State of electricity or water, the source of which as the result of the fixing of a new frontier is on the territory of another State, an agreement shall be made between the States concerned to safeguard the interests and rights acquired by each of them.

Pending an agreement, central electric stations and waterworks shall be required to continue the supply up to an amount corresponding to the undertakings and contracts in force on November 3, 1918.

Failing an agreement, the matter shall be regulated by an arbitrator appointed by the Council of the League of Nations.

Section III.—*Railways.*

Chapter I.—Freedom of transit to the Adriatic for Austria.

Article 311.

Free access to the Adriatic Sea is accorded to Austria, who with this object will enjoy freedom of transit over the territories and in the ports severed from the former Austro-Hungarian Monarchy.

Freedom of transit is the freedom defined in Article 284 until such time as a General Convention on the subject shall have been concluded between the Allied and Associated Powers, whereupon the dispositions of the new Convention shall be substituted therefor.

Special Conventions between the States or Administrations concerned will lay down the conditions of the exercise of the right accorded above, and will settle in particular the method of using the ports and the free zones existing in

them, the establishment of international (joint) services and tariffs including through tickets and waybills, and the maintenance of the Convention of Berne of October 14, 1890 and its supplementary provisions until its replacement by a new Convention.

Freedom of transit will extend to postal, telegraphic, and telephonic services.

CHAPTER II.—CLAUSES RELATING TO INTERNATIONAL TRANSPORT.

ARTICLE 312.

Goods coming from the territories of the Allied and Associated Powers, and going to Austria, or in transit through Austria from or to the territories of the Allied and Associated Powers, shall enjoy on the Austrian railways as regards charges to be collected (rebates and drawbacks being taken into account), facilities, and all other matters, the most favorable treatment applied to goods of the same kind carried on any Austrian lines, either in internal traffic, or for export, import or in transit, under similar conditions of transport, for example as regards length of route. The same rule shall be applied, on the request of one or more of the Allied and Associated Powers, to goods specially designated by such Power or Powers coming from Austria and going to their territories.

International tariffs established in accordance with the rates referred to in the preceding paragraph and involving through way-bills shall be established when one of the Allied and Associated Powers shall require it from Austria.

However, without prejudice to the provisions of Article 288 and 289, Austria undertakes to maintain on her own lines the régime of tariffs existing before the war as regards traffic to Adriatic and Black Sea ports, from the point of view of competition with North German ports.

ARTICLE 313.

From the coming into force of the present Treaty the High Contracting Parties shall renew, in so far as concerns them and under the reserves indicated in the second paragraph of the present Article, the Conventions and Arrangements signed at Berne on October 14, 1890, September 20, 1893, July 16, 1895, June 16, 1898, and September 19, 1906, regarding the transportation of goods by rail.

If within five years from the date of the coming into force of the present Treaty a new Convention for the transportation of passengers, luggage and goods by rail shall have been concluded to replace the Berne Convention of October 14, 1890, and the subsequent additions referred to above, this new Convention and the supplementary provisions for international transport by rail which may be based on it shall bind Austria, even if she shall have refused to take part in the preparation of the Convention or to subscribe to it. Until a new Convention shall have been concluded, Austria shall conform to the provisions of the Berne Convention and the subsequent additions referred to above, and to the current supplementary provisions.

ARTICLE 314.

Austria shall be bound to co-operate in the establishment of through ticket services (for passengers and their luggage) which shall be required by any of the Allied and Associated Powers to ensure their communication by rail with each other and with all other countries by transit across the territories of Austria; in particular Austria shall, for this purpose, accept trains and carriages coming from the territories of the Allied and Associated Powers and shall forward them with a speed at least equal to that of her best long-distance trains on the same lines. The rates applicable to such through services shall not in any case be higher than the rates collected on Austrian internal services for the same distance, under the same conditions of speed and comfort.

The tariffs applicable under the same conditions of speed and comfort to the transportation of emigrants going to or coming from ports of the Allied and Associated Powers and using the Austrian railways, shall not be at a higher kilometric rate than the most favourable tariffs (drawbacks and rebates being taken into account) enjoyed on the said railways by emigrants going to or coming from any other ports.

ARTICLE 315.

Austria shall not apply specially to such through services, or to the transportation of emigrants going to on coming from the ports of the Allied and Associated Powers, any technical, fiscal or administrative measures, such as

measures of customs examination, general police, sanitary police, and control, the result of which would be to impede or delay such services.

ARTICLE 316.

In case of transport partly by rail and partly by internal navigation, with or without through way-bill, the preceding Articles shall apply to the part of the journey performed by rail.

CHAPTER 3.—ROLLING STOCK.

ARTICLE 317.

Austria undertakes that Austrian wagons shall be fitted with apparatus allowing:

(1) of their inclusion in goods trains on the lines of such of the Allied and Associated Powers as are parties to the Berne Convention of May 15, 1886, as modified on May 18, 1907, without hampering the action of the continuous brake which may be adopted in such countries within ten years of the coming into force of the present Treaty, and

(2) of the inclusion of wagons of such countries in all goods trains on Austrian lines.

The rolling stock of the Allied and Associated Powers shall enjoy on the Austrian lines the same treatment as Austrian rolling stock as regards movement, upkeep and repairs.

CHAPTER 4.—TRANSFERS OF RAILWAY LINES.

ARTICLE 318.

Subject to any special provisions concerning the transfer of ports, waterways and railways situated in the territories transferred under the present Treaty, and to the financial conditions relating to the concessionnaires and the pensioning of the personnel, the transfer of railways will take place under the following conditions:

(1) The works and installations of all the railroads shall be handed over complete and in good condition.

(2) When a railway system possessing its own rolling-stock is handed over in its entirety by Austria to one of the Allied and Associated Powers, such stock shall be handed over complete, in accordance with the last inventory before November 3, 1918, and in a normal state of upkeep.

(3) As regards lines without any special rolling-stock, the distribution of the stock existing on the system to which these lines belong shall be made by Commissions of experts designated by the Allied and Associated Powers, on which Austria shall be represented. These Commissions shall have regard to the amount of the material registered on these lines in the last inventory before November 3, 1918, the length of track (sidings included), and the nature and amount of the traffic. These Commissions shall also specify the locomotives, carriages and wagons to be handed over in each case; they shall decide upon the conditions of their acceptance, and shall make the provisional arrangements necessary to ensure their repair in Austrian workshops.

(4) Stocks of stores, fittings and plant shall be handed over under the same conditions as the rolling-stock.

The provisions of paragraphs 3 and 4 above shall be applied to the lines of former Russian Poland converted by the Austro-Hungarian authorities to the normal gauge, such lines being regarded as detached from the Austrian and Hungarian State systems.

CHAPTER 5.—PROVISIONS RELATING TO CERTAIN RAILWAY LINES.

ARTICLE 319.

When as a result of the fixing of new frontiers a railway connection between two parts of the same country crosses another country, or a branch line from one country has its terminus in another, the conditions of working, if not specifically provided for in the present Treaty, shall be laid down in a convention between the railway administrations concerned. If the administrations cannot come to an agreement as to the terms of such convention, the points of difference shall be decided by commissions of experts composed as provided in the preceding Article.

The establishment of all the new frontier stations between Austria and the contiguous Allied and Associated States, as well as the working of the lines between those stations, shall be settled by agreements similarly concluded.

ARTICLE 320.

With the object of ensuring regular utilization of the railroads of the former Austro-Hungarian Monarchy owned by private companies which, as a result of the stipulations of the present Treaty, will be situated in the territory of several States, the administrative and technical reorganization of the said lines shall be regulated in each instance by an agreement between the owning Company and the States territorially concerned.

Any differences on which agreement is not reached, including questions relating to the interpretation of contracts concerning the expropriation of the lines, shall be submitted to arbitrators designated by the Council of the League of Nations.

This arbitration may, as regards the South Austrian Railway Company, be required either by the Board of Management or by the Committee representing the bond-holders.

ARTICLE 321.

Within a period of five years from the coming into force of the present Treaty, Italy may require the construction or improvement on Austrian territory of the new transalpine lines of the Col de Reschen and the Pas de Predil. Unless Austria decides to pay for the works herself, the cost of construction or improvement shall be paid by Italy. An arbitrator appointed by the Council of the League of Nations shall, after the lapse of such period as may be fixed by the Council, determine the portion of the cost of construction or improvement which must be repaid by Austria to Italy on account of the increase of revenue on the Austrian railway system resulting from these works.

Austria shall hand over to Italy gratuitously the surveys, with their annexes, for the construction of the following railway lines:

The line from Tarvis to Trieste by Raibl, Plezzo, Caporetto, Canale and Gorizia;

The local line from S. Lucia de Tolmino to Caporetto;

The line from Tarvis to Plezzo (new scheme);

The Reschen line connecting Landeck and Mals.

ARTICLE 322.

In view of the importance to the Czecho-Slovak State of free communication between that State and the Adriatic, Austria recognises the right of the Czecho-Slovak State to run its own trains over the sections included within her territory of the following lines:

(1) from Bratislava (Pressburg) towards Fiume *via* Sopron, Szembathely and Mura Keresztur, and a branch from Mura Keresztur to Pragerhof;

(2) from Budejovic (Budweiss) towards Trieste *via* Linz, S. Michael, Klagenfurt, and Assling, and the branch from Klagenfurt towards Tarvisio.

On the application of either party, the route to be followed by the Czecho-Slovak trains may be modified either permanently or temporarily by mutual agreement between the Czecho-Slovak Railway Administration and those of the railways over which the running powers are exercised.

ARTICLE 323.

The trains for which the running powers are used shall not engage in local traffic, except by agreement between Austria and the Czecho-Slovak State.

Such runnng powers will include, in particular, the right to establish running sheds with small shops for minor repairs to locomotives and rolling stock, and to appoint representatives where necessary to supervise the working of Czecho-Slovak trains.

ARTICLE 324.

The technical, administrative and financial conditions under which the rights of the Czecho-Slovak State shall be exercised shall be laid down in a Convention between the Railway Administration of the Czecho-Slovak State and the Railway Administrations of the Austrian systems concerned. If the Administrations cannot come to an agreement on the terms of this Convention, the points of difference shall be decided by an arbitrator nominated by Great Britain, and his decisions shall be binding on all parties.

In the event of disagreement as to the interpretation of the Convention or of difficulties arising unprovided for in the Convention, the same form of

arbitration will be adopted until such time as the League of Nations may lay down some other procedure.

CHAPTER 6.—TRANSITORY PROVISION.

ARTICLE 325.

Austria shall carry out the instructions given her, in regard to transport, by an authorised body acting on behalf of the Allied and Associated Powers:

(1) For the carriage of troops under the provisions of the present Treaty, and of material, ammunition and supplies for army use;

(2) As a temporary measure, for the transportation of supplies for certain regions, as well as for the restoration, as rapidly as possible, of the normal conditions of transport, and for the organisation of postal and telegraphic services.

CHAPTER 7.—TELEGRAPHS AND TELEPHONES.

ARTICLE 326.

Notwithstanding any contrary stipulations in existing treaties, Austria undertakes to grant freedom of transit for telegraphic correspondence and telephonic communications coming from or going to any one of the Allied and Associated Powers, whether neighbours or not, over such lines as may be most suitable for international transit and in accordance with the tariffs in force. This correspondence and these communications shall be subjected to no unnecessary delay or restriction; they shall enjoy in Austria national treatment in regard to every kind of facility and especially in regard to rapidity of transmission. No payment, facility or restriction shall depend directly or indirectly on the nationality of the transmitter or the addressee.

ARTICLE 327.

In view of the geographical situation of the Czecho-Slovak State Austria agrees to the following modifications in the International Telegraph and Telephone Conventions referred to in Article 235 of Part X (Economic Clauses) of the present Treaty.

(1) On the demand of the Czecho-Slovak State Austria shall provide and maintain trunk telegraph lines across Austrian territory.

(2) The annual rent to be paid by the Czecho-Slovak State for each of such lines will be calculated in accordance with the provisions of the above-mentioned Conventions, but unless otherwise agreed shall not be less than the sum that would be payable under those Conventions for the number of messages laid down in those Conventions as conferring the right to demand a new trunk line, taking as a basis the reduced tariff provided for in Article 23, paragraph 5, of the International Telegraph Convention as revised at Lisbon.

(3) So long as the Czecho-Slovak State shall pay the above minimum annual rent of a trunk line;

(*a*) The line shall be reserved exclusively for transit traffic to and from the Czecho-Slovak State;

(*b*) The faculty given to Austria by Article 8 of the International Telegraph Convention of July 22, 1875, to suspend international telegraph services shall not apply to that line.

(4) Similar provisions will apply to the provision and maintenance of trunk telephone circuits, but the rent payable by the Czecho-Slovak State for a trunk telephone circuit shall, unless otherwise agreed, be double the rent payable for a trunk telegraph line.

(5) The particular lines to be provided together with any necessary administrative, technical, and financial conditions not provided for in existing International Conventions or in this Article shall be fixed by a further Convention between the States concerned. In default of agreement on such Convention they will be fixed by an arbitrator appointed by the Council of the League of Nations.

(6) The stipulations of the present Article may be varied at any time by agreement between Austria and the Czecho-Slovak State. After the expiration of ten years from the coming into force of this Treaty the conditions under which the Czecho-Slovak State shall enjoy the rights conferred by this Article may, in default of agreement by the parties, be modified at the request of either party by an arbitrator designated by the Council of the League of Nations.

(7) In case of any dispute between the parties as to the interpretation either of this Article or of the Convention referred to in paragraph 5, this dispute shall be submitted for decision to the Permanent Court of International Justice to be established by the League of Nations.

SECTION IV.—*Disputes and Revision of Permanent Clauses.*

ARTICLE 328.

Disputes which may arise between interested Powers with regard to the interpretation and application of this Part of the present Treaty shall be settled as provided by the League of Nations.

ARTICLE 329.

At any time the League of Nations may recommend the revision of such of the above Articles as relate to a permanent administrative régime.

ARTICLE 330.

The stipulations in Articles 284 to 290, 293, 312, 314 to 316, and 326 shall be subject to revision by the Council of the League of Nations at any time after three years from the coming into force of the present Treaty.

Failing such revision, no Allied or Associated Power can claim after the expiration of the above period of three years the benefit of any of the stipulations in the Articles enumerated above on behalf of any portion of its territories in which reciprocity is not accorded in respect of such stipulations. The period of three years during which reciprocity cannot be demanded may be prolonged by the Council of the League of Nations.

The benefit of the stipulations mentioned above cannot be claimed by States to which territory of the former Austro-Hungarian Monarchy has been transferred, or which have arisen out of the dismemberment of that Monarchy, except upon the footing of giving in the territory passing under their sovereignty reciprocal treatment to Austria.

SECTION V.—*Special Provision.*

ARTICLE 331.

Without prejudice to the special obligations imposed on her by the present Treaty for the benefit of the Allied and Associated Powers, Austria undertakes to adhere to any General Conventions regarding the international régime of transit, waterways, ports or railways which may be concluded by the Allied and Associated Powers, with the approval of the League of Nations, within five years of the coming into force of the present Treaty.

PART XIII.

LABOUR.

SECTION I.—*Organisation of Labour.*

Whereas the League of Nations has for its object the establishment of universal peace, and such a peace can be established only if it is based upon social justice;

And whereas conditions of labour exist involving such injustice, hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required: as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of freedom of association, the organisation of vocational and technical education and other measures;

Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries;

The High Contracting Parties, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, agree to the following:

CHAPTER I.—ORGANISATION.

ARTICLE 332.

A permanent organisation is hereby established for the promotion of the objects set forth in the Preamble.

The original Members of the League of Nations shall be the original Members of this organisation, and hereafter membership of the League of Nations shall carry with it membership of the said organisation.

ARTICLE 333.

The permanent organisation shall consist of:

(1) a General Conference of Representatives of the Members, and

(2) an International Labour Office controlled by the Governing Body described in Article 338.

ARTICLE 334.

The meetings of the General Conference of Representatives of the Members shall be held from time to time as occasion may require, and at least once in every year. It shall be composed of four Representatives of each of the Members, of whom two shall be Government Delegates and the two others shall be Delegates representing respectively the employers and the workpeople of each of the Members.

Each Delegate may be accompanied by advisers, who shall not exceed two in number for each item on the agenda of the meeting. When questions specially affecting women are to be considered by the Conference, one at least of the advisers should be a woman.

The Members undertake to nominate non-Government Delegates and advisers chosen in agreement with the industrial organisations, if such organisations exist, which are most representative of employers or workpeople, as the case may be, in their respective countries.

Advisers shall not speak except on a request made by the Delegate whom they accompany and by the special authorisation of the President of the Conference, and may not vote.

A Delegate may by notice in writing addressed to the President appoint one of his advisers to act as his deputy, and the adviser, while so acting, shall be allowed to speak and vote.

The names of the Delegates and their advisers will be communicated to the International Labour Office by the Government of each of the Members.

The credentials of Delegates and their advisers shall be subject to scrutiny by the Conference, which may, by two-thirds of the votes cast by the Delegates present, refuse to admit any Delegate or adviser whom it deems not to have been nominated in accordance with this Article.

ARTICLE 335.

Every Delegate shall be entitled to vote individually on all matters which are taken into consideration by the Conference.

If one of the Members fails to nominate one of the non-Government Delegates whom it is entitled to nominate, the other non-Government Delegate shall be allowed to sit and speak at the Conference, but not to vote.

If in accordance with Article 334 the Conference refuses admission to a Delegate of one of the Members, the provisions of the present Article shall apply as if that Delegate had not been nominated.

ARTICLE 336.

The meetings of the Conference shall be held at the seat of the League of Nations, or at such other place as may be decided by the Conference at a previous meeting by two-thirds of the votes cast by the Delegates present.

ARTICLE 337.

The International Labour Office shall be established at the seat of the League of Nations as part of the organisation of the League.

Article 338.

The International Labour Office shall be under the control of a Governing Body consisting of twenty-four persons, appointed in accordance with the following provisions:

The Governing Body of the International Labour Office shall be constituted as follows:—

Twelve persons representing the Governments;

Six persons elected by the Delegates to the Conference representing the employers;

Six persons elected by the Delegates to the Conference representing the workers.

Of the twelve persons representing the Governments eight shall be nominated by the Members which are of the chief industrial importance, and four shall be nominated by the Members selected for the purpose by the Government Delegates to the Conference, excluding the Delegates of the eight Members mentioned above.

Any question as to which are the Members of the chief industrial importance shall be decided by the Council of the League of Nations.

The period of office of the Members of the Governing Body will be three years. The method of filling vacancies and other similar questions may be determined by the Governing Body subject to the approval of the Conference.

The Governing Body shall, from time to time, elect one of its members to act as its Chairman, shall regulate its own procedure and shall fix its own times of meeting. A special meeting shall be held if a written request to that effect is made by at least ten members of the Governing Body.

Article 339.

There shall be a Director of the International Labour Office, who shall be appointed by the Governing Body, and, subject to the instructions of the Governing Body, shall be responsible for the efficient conduct of the International Labour Office and for such other duties as may be assigned to him.

The Director or his deputy shall attend all meetings of the Governing Body.

ARTICLE 340.

The staff of the International Labour Office shall be appointed by the Director, who shall, so far as is possible with due regard to the efficiency of the work of the Office, select persons of different nationalities. A certain number of these persons shall be women.

ARTICLE 341.

The functions of the International Labour Office shall include the collection and distribution of information on all subjects relating to the international adjustment of conditions of industrial life and labour, and particularly the examination of subjects which it is proposed to bring before the Conference with a view to the conclusion of international conventions, and the conduct of such special investigations as may be ordered by the Conference.

It will prepare the agenda for the meetings of the Conference.

It will carry out the duties required of it by the provisions of this Part of the present Treaty in connection with international disputes.

It will edit and publish in French and English, and in such other languages as the Governing Body may think desirable, a periodical paper dealing with problems of industry and employment of international interest.

Generally, in addition to the functions set out in this Article, it shall have such other powers and duties as may be assigned to it by the Conference.

ARTICLE 342.

The Government Departments of any of the Members which deal with questions of industry and employment may communicate with the Director through the Representative of their Government on the Governing Body of the International Labour Office, or failing any such Representative, through such other qualified official as the Government may nominate for the purpose.

ARTICLE 343.

The International Labour Office shall be entitled to the assistance of the Secretary-General of the League of Nations in any matter in which it can be given.

ARTICLE 344.

Each of the Members will pay the travelling and subsistence expenses of its Delegates and their advisers and of its Representatives attending the meetings of the Conference or Governing Body, as the case may be.

All the other expenses of the International Labour Office and of the meetings of the Conference or Governing Body shall be paid to the Director by the Secretary-General of the League of Nations out of the general funds of the League.

The Director shall be responsible to the Secretary-General of the League for the proper expenditure of all moneys paid to him in pursuance of this Article.

CHAPTER II.—PROCEDURE.

ARTICLE 345.

The agenda for all meetings of the Conference will be settled by the Governing Body, who shall consider any suggestion as to the agenda that may be made by the Government of any of the Members or by any representative organisation recognised for the purpose of Article 334.

ARTICLE 346.

The Director shall act as the Secretary of the Conference, and shall transmit the agenda so as to reach the Members four months before the meeting of the Conference, and, through them, the non-Government Delegates when appointed.

ARTICLE 347.

Any of the Governments of the Members may formally object to the inclusion of any item or items in the agenda. The grounds for such objection shall be set forth in a reasoned statement addressed to the Director, who shall circulate it to all the Members of the Permanent Organisation.

Items to which such objection has been made shall not, however, be excluded from the agenda, if at the Conference a majority of two-thirds of the votes cast by the Delegates present is in favour of considering them.

If the Conference decides (otherwise than under the preceding paragraph) by two-thirds of the votes cast by the Delegates present that any subject shall be considered by the Conference, that subject shall be included in the agenda for the following meeting.

ARTICLE 348.

The Conference shall regulate its own procedure, shall elect its own President, and may appoint committees to consider and report on any matter.

Except as otherwise expressly provided in this Part of the present Treaty, all matters shall be decided by a simple majority of the votes cast by the Delegates present.

The voting is void unless the total number of votes cast is equal to half the number of the Delegates attending the Conference.

ARTICLE 349.

The Conference may add to any committees which it appoints technical experts, who shall be assessors without power to vote.

ARTICLE 350.

When the Conference has decided on the adoption of proposals with regard to an item in the agenda, it will rest with the Conference to determine whether these proposals should take the form: (*a*) of a recommendation to be submitted to the Members for consideration with a view to effect being given to it by national legislation or otherwise, or (*b*) of a draft international convention for ratification by the Members.

In either case a majority of two-thirds of the votes cast by the Delegates present shall be necessary on the final vote for the adoption of the recommendation or draft convention, as the case may be, by the Conference.

In framing any recommendation or draft convention of general application the Conference shall have due regard to those countries in which climatic conditions, the imperfect development of industrial organisation or other special circumstances make the industrial conditions substantially different and shall suggest the modifications, if any, which it considers may be required to meet the case of such countries.

A copy of the recommendation or draft convention shall be authenticated by the signature of the President of the Conference and of the Director and shall be deposited with the Secretary-General of the League of Nations. The Secretary-General will communicate a certified copy of the recommendation or draft convention to each of the Members.

Each of the Members undertakes that it will, within the period of one year at most from the closing of the session of the Conference, or if it is impossible owing to exceptional circumstances to do so within the period of one year, then at the earliest practicable moment and in no case later than eighteen months from the closing of the session of the Conference, bring the recommendation or draft convention before the authority or authorities within whose competence the matter lies, for the enactment of legislation or other action.

In the case of a recommendation, the Members will inform the Secretary-General of the action taken.

In the case of a draft convention, the Member will, if it obtains the consent of the authority or authorities within whose competence the matter lies, communicate the formal ratification of the convention to the Secretary-General and will take such action as may be necessary to make effective the provisions of such convention.

If on a recommendation no legislative or other action is taken to make a recommendation effective, or if the draft convention fails to obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member.

In the case of a federal State, the power of which to enter into conventions on labour matters is subject to limitations, it shall be in the discretion of that Government to treat a draft convention to which such limitations apply as a recommendation only, and the provisions of this Article with respect to recommendations shall apply in such case.

The above Article shall be interpreted in accordance with the following principles:

In no case shall any Member be asked or required, as a result of the adoption of any recommendation or draft convention by the Conference, to lessen the protection afforded by its existing legislation to the workers concerned.

ARTICLE 351.

Any convention so ratified shall be registered by the Secretary-General of the League of Nations, but shall only be binding upon the Members which ratify it.

ARTICLE 352.

If any convention coming before the Conference for final consideration fails to secure the support of two-thirds of the votes cast by the Delegates present, it shall nevertheless be within the right of any of the Members of the Permanent Organisation to agree to such convention among themselves.

Any convention so agreed to shall be communicated by the Governments concerned to the Secretary-General of the League of Nations, who shall register it.

ARTICLE 353.

Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request. The Director shall lay a summary of these reports before the next meeting of the Conference.

ARTICLE 354.

In the event of any representation being made to the International Labour Office by an industrial association of employers or of workers that any of the Members has failed to secure in any respect the effective observance within its jurisdiction of any convention to which it is a party, the Governing Body may communicate this representation to the Government against which it is made and may invite that Government to make such statement on the subject as it may think fit.

ARTICLE 355.

If no statement is received within a reasonable time from the Government in question, or if the statement when received is not deemed to be satisfactory

by the Governing Body, the latter shall have the right to publish the representation and the statement, if any, made in reply to it.

ARTICLE 356.

Any of the Members shall have the right to file a complaint with the International Labour Office if it is not satisfied that any other Member is securing the effective observance of any convention which both have ratified in accordance with the foregoing Articles.

The Governing Body may, if it thinks fit, before referring such a complaint to a Commission of Enquiry, as hereinafter provided for, communicate with the Government in question in the manner described in Article 354.

If the Governing Body does not think it necessary to communicate the complaint to the Government in question, or if, when they have made such communication, no statement in reply has been received within a reasonable time which the Governing Body considers to be satisfactory, the Governing Body may apply for the appointment of a Commission of Enquiry to consider the complaint and to report thereon.

The Governing Body may adopt the same procedure either of its own motion or on receipt of a complaint from a Delegate to the Conference.

When any matter arising out of Articles 355 or 356 is being considered by the Governing Body, the Government in question shall, if not already represented thereon, be entitled to send a representative to take part in the proceedings of the Governing Body while the matter is under consideration. Adequate notice of the date on which the matter will be considered shall be given to the Government in question.

ARTICLE 357.

The Commission of Enquiry shall be constituted in accordance with the following provisions:

Each of the Members agrees to nominate within six months of the date on which the present Treaty comes into force three persons of industrial experience, of whom one shall be a representative of employers, one a representative of workers, and one a person of independent standing, who shall together form a panel from which the Members of the Commission of Enquiry shall be drawn.

The qualifications of the persons so nominated shall be subject to scrutiny by the Governing Body, which may by two-thirds of the votes cast by the representatives present refuse to accept the nomination of any person whose qualifications do not in its opinion comply with the requirements of the present Article.

Upon the application of the Governing Body, the Secretary-General of the League of Nations shall nominate three persons, one from each section of this panel, to constitute the Commission of Enquiry, and shall designate one of them as the President of the Commission. None of these three persons shall be a person nominated to the panel by any Member directly concerned in the complaint.

ARTICLE 358.

The Members agree that, in the event of the reference of a complaint to a Commission of Enquiry under Article 356, they will each, whether directly concerned in the complaint or not, place at the disposal of the Commission all the information in their possession which bears upon the subject-matter of the complaint.

ARTICLE 359.

When the Commission of Enquiry has fully considered the complaint, it shall prepare a report embodying its findings on all questions of fact relevant to determining the issue between the parties and containing such recommendations as it may think proper as to the steps which should be taken to meet the complaint and the time within which they should be taken.

It shall also indicate in this report the measures, if any, of an economic character against a defaulting Government which it considers to be appropriate, and which it considers other Governments would be justified in adopting.

ARTICLE 360.

The Secretary-General of the League of Nations shall communicate the report of the Commission of Enquiry to each of the Governments concerned in the complaint, and shall cause it to be published.

Each of these Governments shall within one month inform the Secretary-General of the League of Nations whether or not it accepts the recommendations contained in the report of the Commission; and if not, whether it proposes to refer the complaint to the Permanent Court of International Justice of the League of Nations.

ARTICLE 361.

In the event of any Member failing to take the action required by Article 350, with regard to a recommendation or draft Convention, any other Member shall be entitled to refer the matter to the Permanent Court of International Justice.

ARTICLE 362.

The decision of the Permanent Court of International Justice in regard to a complaint or matter which has been referred to it in pursuance of Article 360 or Article 361 shall be final.

ARTICLE 363.

The Permanent Court of International Justice may affirm, vary or reverse any of the findings or recommendations of the Commission of Enquiry, if any, and shall in its decision indicate the measures, if any, of an economic character which it considers to be appropriate, and which other Governments would be justified in adopting against a defaulting Government.

ARTICLE 364.

In the event of any Member failing to carry out within the time specified the recommendations, if any, contained in the report of the Commission of Enquiry, or in the decision of the Permanent Court of International Justice, as the case may be, any other Member may take against that Member the measures of an economic character indicated in the report of the Commission or in the decision of the Court as appropriate to the case.

ARTICLE 365.

The defaulting Government may at any time inform the Governing Body that it has taken the steps necessary to comply with the recommendations of the

Commission of Enquiry or with those in the decision of the Permanent Court of International Justice, as the case may be, and may request it to apply to the Secretary-General of the League to constitute a Commission of Enquiry to verify its contention. In this case the provisions of Articles 357, 358, 359, 360, 362, and 363 shall apply, and if the report of the Commission of Enquiry or the decision of the Permanent Court of International Justice is in favour of the defaulting Government, the other Governments shall forthwith discontinue the measures of an economic character that they have taken against the defaulting Government.

CHAPTER III.—GENERAL.

ARTICLE 366.

The Members engage to apply conventions which they have ratified in accordance with the provisions of this Part of the present Treaty to their colonies, protectorates and possessions which are not fully self-governing:

(1) Except where owing to the local conditions the convention is inapplicable, or

(2) Subject to such modifications as may be necessary to adapt the convention to local conditions.

And each of the Members shall notify to the International Labour Office the action taken in respect of each of its colonies, protectorates and possessions which are not fully self-governing.

ARTICLE 367.

Amendments to this Part of the present Treaty which are adopted by the Conference by a majority of two-thirds of the votes cast by the Delegates present shall take effect when ratified by the States whose representatives compose the Council of the League of Nations and by three-fourths of the Members.

ARTICLE 368.

Any question or dispute relating to the interpretation of this Part of the present Treaty or of any subsequent convention concluded by the Members in pursuance of the provisions of this Part of the present Treaty shall be referred for decision to the Permanent Court of International Justice.

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CHAPTER IV.—TRANSITORY PROVISIONS.

ARTICLE 369.

The first meeting of the Conference shall take place in October, 1919. The place and agenda for this meeting shall be as specified in the Annex hereto.

Arrangements for the convening and the organisation of the first meeting of the Conference will be made by the Government designated for the purpose in the said Annex. That Government shall be assisted in the preparation of the documents for submission to the Conference by an International Committee constituted as provided in the said Annex.

The expenses of the first meeting and of all subsequent meetings held before the League of Nations has been able to establish a general fund, other than the expenses of Delegates and their advisers, will be borne by the Members in accordance with the apportionment of the expenses of the International Bureau of the Universal Postal Union.

ARTICLE 370.

Until the League of Nations has been constituted all communications which under the provisions of the foregoing Articles should be addressed to the Secretary-General of the League will be preserved by the Director of the International Labour Office, who will transmit them to the Secretary-General of the League.

ARTICLE 371.

Pending the creation of a Permanent Court of International Justice, disputes which in accordance with this Part of the present Treaty would be submitted to it for decision will be referred to a tribunal of three persons appointed by the Council of the League of Nations.

ANNEX.

FIRST MEETING OF THE ANNUAL LABOUR CONFERENCE, 1919.

The place of meeting will be Washington.

The Government of the United States of America is requested to convene the Conference.

The International Organising Committee will consist of seven Members, appointed by the United States of America, Great Britain, France, Italy, Japan, Belgium and Switzerland. The Committee may, if it thinks necessary, invite other Members to appoint representatives.

Agenda:

(1) Application of principle of the 8-hours day or of the 48-hours week.

(2) Question of preventing or providing against unemployment.

(3) Women's employment:

(*a*) Before and after child-birth, including the question of maternity benefit;

(*b*) During the night;

(*c*) In unhealthy processes.

(4) Employment of children:

(*a*) Minimum age of employment;

(*b*) During the night;

(*c*) In unhealthy processes.

(5) Extension and application of the International Conventions adopted at Berne in 1906 on the prohibition of night work for women employed in industry and the prohibition of the use of white phosphorus in the manufacture of matches.

SECTION II.—*General principles.*

ARTICLE 372.

The High Contracting Parties, recognising that the well-being, physical, moral and intellectual, of industrial wage-earners is of supreme international importance, have framed, in order to further this great end, the permanent machinery provided for in Section I and associated with that of the League of Nations.

They recognise that differences of climate, habits and customs, of economic opportunity and industrial tradition, make strict uniformity in the conditions of labour difficult of immediate attainment. But, holding as they do, that labour should not be regarded merely as an article of commerce, they think

that there are methods and principles for regulating labour conditions which all industrial communities should endeavour to apply, so far as their special circumstances will permit.

Among these methods and principles, the following seem to the High Contracting Parties to be of special and urgent importance:

First.—The guiding principle above enunciated that labour should not be regarded merely as a commodity or article of commerce.

Second.—The right of association for all lawful purposes by the employed as well as by the employers.

Third.—The payment to the employed of a wage adequate to maintain a reasonable standard of life as this is understood in their time and country.

Fourth.—The adoption of an eight hours day or a forty-eight hours week as the standard to be aimed at where it has not already been attained.

Fifth.—The adoption of a weekly rest of at least twenty-four hours, which should include Sunday wherever practicable.

Sixth.—The abolition of child labour and the imposition of such limitations on the labour of young persons as shall permit the continuation of their education and assure their proper physical development.

Seventh.—The principle that men and women should receive equal remuneration for work of equal value.

Eighth.—The standard set by law in each country with respect to the conditions of labour should have due regard to the equitable economic treatment of all workers lawfully resident therein.

Ninth.—Each State should make provision for a system of inspection in which women should take part, in order to ensure the enforcement of the laws and regulations for the protection of the employed.

Without claiming that these methods and principles are either complete or final, the High Contracting Parties are of opinion that they are well fitted to guide the policy of the League of Nations; and that, if adopted by the industrial communities who are members of the League, and safeguarded in practice by an adequate system of such inspection, they will confer lasting benefits upon the wage-earners of the world.

PART XIV.

MISCELLANEOUS PROVISIONS.

ARTICLE 373.

Austria undertakes to recognize and to accept the conventions made or to be made by the Allied and Associated Powers or any of them with any other Power as to the traffic in arms and in spirituous liquors, and also as to the other subjects dealt with in the General Acts of Berlin of February 26, 1885, and of Brussels of July 2, 1890, and the conventions completing or modifying the same.

ARTICLE 374.

The High Contracting Parties declare and place on record that they have taken note of the Treaty signed by the Government of the French Republic on July 17, 1918, with His Serene Highness the Prince of Monaco defining the relations between France and the Principality.

ARTICLE 375.

The High Contracting Parties, while they recognize the guarantees stipulated by the Treaties of 1815, and especially by the Act of November 20, 1815, in favour of Switzerland, the said guarantees constituting international obligations for the maintenance of peace, declare nevertheless that the provisions of these treaties, conventions, declarations and other supplementary Acts concerning the neutralized zone of Savoy, as laid down in paragraph 1 of Article 92 of the Final Act of the Congress of Vienna and in paragraph 2 of Article 3 of the Treaty of Paris of November 20, 1815, are no longer consistent with present conditions. For this reason the High Contracting Parties take note of the agreement reached between the French Government and the Swiss Government for the abrogation of the stipulations relating to this zone which are and remain abrogated.

The High Contracting Parties also agree that the stipulations of the Treaties of 1815 and of the other supplementary Acts concerning the free zones of Upper Savoy and the Gex district are no longer consistent with present conditions, and that it is for France and Switzerland to come to an agreement together with a view to settling between themselves the status of these territories under such conditions as shall be considered suitable by both countries.

ANNEX.

I.

The Swiss Federal Council has informed the French Government on May 5, 1919, that after examining the provisions of Article 435 of the Peace conditions presented to Germany by the Allied and Associated Powers in a like spirit of sincere friendship it has happily reached the conclusion that it was possible to acquiesce in it under the following conditions and reservations:

(1) The neutralized zone of Haute-Savoie:

(*a*) It will be understood that as long as the Federal Chambers have not ratified the agreement come to between the two Governments concerning the abrogation of the stipulations in respect of the neutralized zone of Savoy, nothing will be definitively settled, on one side or the other, in regard to this subject.

(*b*) The assent given by the Swiss Government to the abrogation of the above mentioned stipulations presupposes, in conformity with the text adopted, the recognition of the guarantees formulated in favour of Switzerland by the Treaties of 1815 and particularly by the Declaration of November 20, 1815.

(*c*) The agreement between the Governments of France and Switzerland for the abrogation of the above mentioned stipulations will only be considered as valid if the Treaty of Peace contains this Article in its present wording. In addition the Parties to the Treaty of Peace should endeavour to obtain the assent of the signatory Powers of the Treaties of 1815 and of the Declaration of November 20, 1815, which are not signatories of the present Treaty of Peace.

(2) Free zone of Haute-Savoie and the district of Gex:

(*a*) The Federal Council makes the most express reservations to the interpretation to be given to the statement mentioned in the last paragraph of the above Article for insertion in the Treaty of Peace, which provides that "the stipulations of the Treaties of 1815 and other supplementary acts concerning the free zones of Haute-Savoie and the Gex district are no longer consistent with present conditions." The Federal Council would not wish that its acceptance of the above wording should lead to the conclusion that it would agree to the suppression of a system intended to give neighbouring territory the benefit of a special régime which is appropriate to the geographical and economical situation and which has been well tested.

In the opinion of the Federal Council the question is not the modification of the customs system of the zones as set up by the Treaties mentioned above, but only the regulation in a manner more appropriate to the economic conditions of the present day of the terms of the exchange of goods between the regions in question. The Federal Council has been led to make the preceding observations by the perusal of the draft Convention concerning the future constitution of the zones which was annexed to the note of April 26 from the French Government. While making the above reservations the Federal Council declares its readiness to examine in the most friendly spirit any proposals which the French Government may deem it convenient to make on the subject.

(*b*) It is conceded that the stipulations of the Treaties of 1815 and other supplementary acts relative to the free zones will remain in force until a new arrangement is come to between France and Switzerland to regulate matters in this territory.

II.

The French Government have addressed to the Swiss Government, on May 18, 1919, the following note in reply to the communication set out in the preceding paragraph:

In a note dated May 5 the Swiss Legation in Paris was good enough to inform the Government of the French Republic that the Federal Government adhered to the proposed Article to be inserted in the Treaty of Peace between the Allied and Associated Governments and Germany.

The French Government have taken note with much pleasure of the agreement thus reached, and, at their request, the proposed Article, which had been accepted by the Allied and Associated Governments, has been inserted under No. 435 in the Peace conditions presented to the German Plenipotentiaries.

The Swiss Government, in their note of May 5 on this subject, have expressed various views and reservations.

Concerning the observations relating to the free zones of Haute-Savoie and the Gex district, the French Government have the honour to observe that the provisions of the last paragraph of Article 435 are so clear that their purport cannot be misapprehended, especially where it implies that no other Power but France and Switzerland will in future be interested in that question.

The French Government, on their part, are anxious to protect the interests of the French territories concerned, and, with that object, having their special situation in view, they bear in mind the desirability of assuring them a suitable customs régime and determining, in a manner better suited to present conditions, the methods of exchanges between these territories and the adjacent Swiss territories, while taking into account the reciprocal interests of both regions.

It is understood that this must in no way prejudice the right of France to adjust her customs line in this region in conformity with her political frontier, as is done on the other portions of her territorial boundaries, and as was done by Switzerland long ago on her own boundaries in this region.

The French Government are pleased to note on this subject in what a friendly disposition the Swiss Government take this opportunity of declaring their willingness to consider any French proposal dealing with the system to be substituted for the present régime of the said free zones, which the French Government intend to formulate in the same friendly spirit.

Moreover, the French Government have no doubt that the provisional maintenance of the régime of 1815 as to the free zones referred to in the above mentioned paragraph of the note from the Swiss Legation of May 5, whose object is to provide for the passage from the present régime to the conventional régime, will cause no delay whatsoever in the establishment of the new situation which has been found necessary by the two Governments. This remark applies also to the ratification by the Federal Chambers, dealt with in paragraph 1 (*a*), of the Swiss note of May 5, under the heading "Neutralized zone of Haute-Savoie".

Article 376.

The Allied and Associated Powers agree that where Christian religious missions were being maintained by Austrian societies or persons in territory belonging to them, or of which the government is entrusted to them in accordance with the present Treaty, the property which these missions or missionary societies possessed, including that of trading societies whose profits were devoted to the support of missions, shall continue to be devoted to missionary

purposes. In order to ensure the due execution of this undertaking the Allied and Associated Governments will hand over such property to boards of trustees appointed by or approved by the Governments and composed of persons holding the faith of the Mission whose property is involved.

The Allied and Associated Governments, while continuing to maintain full control as to the individuals by whom the Missions are conducted, will safeguard the interests of such Missions.

Austria, taking note of the above undertaking, agrees to accept all arrangements made or to be made by the Allied or Associated Government concerned for carrying on the work of the said missions or trading societies and waives all claims on their behalf.

ARTICLE 377.

Without prejudice to the provisions of the present Treaty, Austria undertakes not to put forward directly or indirectly against any Allied or Associated Power, signatory of the present Treaty, any pecuniary claim based on events which occurred at any time before the coming into force of the present Treaty.

The present stipulation will bar completely and finally all claims of this nature, which will be thenceforward extinguished, whoever may be the parties in interest.

ARTICLE 378.

Austria accepts and recognises as valid and binding all decrees and orders concerning Austro-Hungarian ships and Austrian goods and all orders relating to the payment of costs made by any Prize Court of any of the Allied or Associated Powers, and undertakes not to put forward any claim arising out of such decrees or orders on behalf of any Austrian national.

The Allied and Associated Powers reserve the right to examine in such manner as they may determine all decisions and orders of Austro-Hungarian Prize Courts, whether affecting the property rights of nationals of those Powers or of neutral Powers. Austria agrees to furnish copies of all the documents constituting the record of the cases, including the decisions and orders made, and to accept and give effect to the recommendations made after such examination of the cases.

ARTICLE 379.

The High Contracting Parties agree that, in the absence of a subsequent agreement to the contrary, the Chairman of any Commission established by the present Treaty shall in the event of an equality of votes be entitled to a second vote.

ARTICLE 380.

Except where otherwise provided in the present Treaty, in all cases where the Treaty provides for the settlement of a question affecting particularly certain States by means of a special Convention to be concluded between the States concerned, it is understood by the High Contracting Parties that difficulties arising in this connection shall, until Austria is admitted to membership of the League of Nations, be settled by the Principal Allied and Associated Powers.

ARTICLE 381.

In the present Treaty the expression "former Austrian Empire" includes Bosnia and Herzegovina except where the text implies the contrary. This provision shall not prejudice the rights and obligations of Hungary in such territory.

The present Treaty, in French, in English, and in Italian, shall be ratified. In case of divergence the French text shall prevail, except in Parts I (Covenant of the League of Nations) and XIII (Labour), where the French and English texts shall be of equal force.

The deposit of ratifications shall be made at Paris as soon as possible.

Powers of which the seat of the Government is outside Europe will be entitled merely to inform the Government of the French Republic through their diplomatic representative at Paris that their ratification has been given; in that case they must transmit the instrument of ratification as soon as possible.

A first proces-verbal of the deposit of ratifications will be drawn up as soon as the Treaty has been ratified by Austria on the one hand, and by three of the Principal Allied and Associated Powers on the other hand.

From the date of this first proces-verbal the Treaty will come into force between the High Contracting Parties who have ratified it. For the deter-

mination of all periods of time provided for in the present Treaty this date will be the date of the coming into force of the Treaty.

In all other respects the Treaty will enter into force for each Power at the date of the deposit of its ratification.

The French Government will transmit to all the signatory Powers a certified copy of the proces-verbaux of the deposit of ratifications.

In faith whereof the above-named Plenipotentiaries have signed the present Treaty.

Done at , the day of , one thousand nine hundred and nineteen, in a single copy which will remain deposited in the archives of the French Republic, and of which authenticated copies will be transmitted to each of the Signatory Powers.

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